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**1991**

# ***Illinois Register***

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## **Rules of Governmental Agencies**

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## INTRODUCTION

The Illinois Register is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

## REGISTER PUBLICATION SCHEDULE 1990

| Material Rec'd<br>after 4:30 p.m. on: | And before<br>4:30 p.m. on: | Will be in<br>Issue #: | Published<br>on: | Material Rec'd<br>after 4:30 p.m. on: | And before<br>4:30 p.m. on: | Will be in<br>Issue #: | Published<br>on:     |
|---------------------------------------|-----------------------------|------------------------|------------------|---------------------------------------|-----------------------------|------------------------|----------------------|
| Dec. 19, 1989                         | Dec. 26, 1989               | 1                      | Jan. 5, 1990     | June 26, 1990                         | July 3, 1990                | 28                     | July 13, 1990        |
| Dec. 26, 1990                         | Jan. 2, 1990                | 2                      | Jan. 12, 1990    | July 3, 1990                          | July 10, 1990               | 29                     | July 20, 1990        |
| Jan. 2, 1990                          | Jan. 9, 1990                | 3                      | Jan. 19, 1990    | July 10, 1990                         | July 17, 1990               | 30                     | July 27, 1990        |
| Jan. 9, 1990                          | Jan. 16, 1990               | 4                      | Jan. 26, 1990    | July 17, 1990                         | July 24, 1990               | 31                     | Aug. 3, 1990         |
| Jan. 16, 1990                         | Jan. 23, 1990               | 5                      | Feb. 2, 1990     | July 24, 1990                         | July 31, 1990               | 32                     | Aug. 10, 1990        |
| Jan. 23, 1990                         | Jan. 30, 1990               | 6                      | Feb. 9, 1990     | July 31, 1990                         | Aug. 7, 1990                | 33                     | Aug. 17, 1990        |
| Jan. 30, 1990                         | Feb. 6, 1990                | 7                      | Feb. 16, 1990    | Aug. 7, 1990                          | Aug. 14, 1990               | 34                     | Aug. 24, 1990        |
| Feb. 6, 1990                          | Feb. 13, 1990               | 8                      | Feb. 23, 1990    | Aug. 14, 1990                         | Aug. 21, 1990               | 35                     | Aug. 31, 1990        |
| Feb. 13, 1990                         | Feb. 20, 1990               | 9                      | Mar. 2, 1990     | Aug. 21, 1990                         | Aug. 28, 1990               | 36                     | Sept. 7, 1990        |
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| Mar. 6, 1990                          | Mar. 13, 1990               | 12                     | Mar. 23, 1990    | Sept. 11, 1990                        | Sept. 18, 1990              | 39                     | Sept. 28, 1990       |
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| Apr. 10, 1990                         | Apr. 17, 1990               | 17                     | Apr. 27, 1990    | Oct. 16, 1990                         | Oct. 23, 1990               | 44                     | Nov. 2, 1990         |
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| May 1, 1990                           | May 8, 1990                 | 20                     | May 18, 1990     | Nov. 5, 1990                          | Nov. 13, 1990               | 47                     | Nov. 26, 1990 (Mon.) |
| May 8, 1990                           | May 15, 1990                | 21                     | May 25, 1990     | Nov. 13, 1990                         | Nov. 20, 1990               | 48                     | Nov. 30, 1990        |
| May 15, 1990                          | May 22, 1990                | 22                     | June 1, 1990     | Nov. 20, 1990                         | Nov. 27, 1990               | 49                     | Dec. 7, 1990         |
| May 22, 1990                          | May 29, 1990                | 23                     | June 8, 1990     | Nov. 27, 1990                         | Dec. 4, 1990                | 50                     | Dec. 14, 1990        |
| May 29, 1990                          | June 5, 1990                | 24                     | June 15, 1990    | Dec. 4, 1990                          | Dec. 11, 1990               | 51                     | Dec. 21, 1990        |
| June 5, 1990                          | June 12, 1990               | 25                     | June 22, 1990    | Dec. 11, 1990                         | Dec. 18, 1990               | 52                     | Dec. 28, 1990        |
| June 12, 1990                         | June 19, 1990               | 26                     | June 29, 1990    | Dec. 18, 1990                         | Dec. 24, 1990               | 1                      | Jan. 4, 1991         |
| June 19, 1990                         | June 26, 1990               | 27                     | July 6, 1990     | Dec. 24, 1990                         | Dec. 31, 1990               | 2                      | Jan. 11, 1991        |

Please note: When the Register deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).



## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Payment Of Benefits2) Code Citation: 56 Ill. Adm. Code 28303) Section Number: .Proposed Action:  
2830.50 New Section4) Statutory Authority: Ill. Rev. Stat., 1989, ch. 48, pars.  
400, 401, 404, 610 and 611).5) A Complete Description of the Subjects and Issues Involved:  
This proposed amendment to Part 2830 sets forth the Director's interpretation of the elements needed to calculate the national average contribution rate for the purpose of the determining whether there might be a freeze or reduction in the "statewide average weekly wage" for the setting maximum weekly unemployment insurance benefit levels under Section 401 of the Unemployment Insurance Act.6) Will the proposed amendment replace an emergency amendment currently in effect? No.7) Does this rulemaking contain an automatic repeal date? No.8) Does this proposed amendment contain incorporations by reference? No.9) Are there any other proposed amendments pending on this Part? No.10) Statement of Statewide Policy Objective? Not Applicable.11) Time, Place and Manner in which interested persons may comment on this Proposed Rulemaking: All persons who submit a request to comment regarding this proposed amendment within 20 days after this notice has been published in the ILLINOIS REGISTER will be given a reasonable opportunity to submit data, views, arguments or comments. The request shall be addressed to:

Stella Adams Cuthbert, Commissioner  
Illinois Department of Employment Security  
401 South State Street - 2nd Floor South  
Chicago, IL 60605  
312-793-4240

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

12) Initial Regulatory Flexibility Analysis:

Date rules were submitted to the Small Business Office of the Department of Commerce and Community Affairs: July 11, 1991.

Types of small businesses affected: This amendment has no direct affect on businesses.

Reporting, bookkeeping or other procedures required for compliance: None.

Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendment begins on the next page:



## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

## TITLE 56: LABOR AND EMPLOYMENT

## CHAPTER IV: DEPARTMENT OF EMPLOYMENT SECURITY

## SUBCHAPTER e: RIGHTS AND DUTIES OF EMPLOYEES

## PART 2830

## PAYMENT OF BENEFITS

## SUBPART A: GENERAL PROVISIONS

## Section

2830.10 Mailing Address For Benefit Checks  
2830.50 Calculating The "National Average Of This Ratio" Under Section 401 Of The Act

## SUBPART B: PAYMENT TO DECEASED CLAIMANTS

## 2830.200

Payment Of Benefits Due A Deceased Claimant

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Order Of Payment To Survivors Of A Deceased Claimant

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Time And Manner For Claiming Benefits Due A Deceased Claimant

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## SUBPART C: REISSUANCE OF BENEFIT CHECKS

## 2830.300

Requests For Reissuance Of Checks

## 2830.305

Where Original Benefit Check Has Been Processed By The Depository Bank

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## 2830.320

Continuances

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Check Forgery Interview

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Appeals

AUTHORITY: Implementing and authorized by Sections 400, 401, 404, 1700 and 1701 of the Unemployment Insurance Act (Ill. Rev. Stat. 1989, ch. 48, pars. 400, 401, 404, 610 and 611).

SOURCE: Illinois Department of Labor, Bureau of Employment Security, Regulation 26, filed as amended May 2, 1952, effective May 12, 1952; rule repealed by operation of law, October 1, 1984; new rules adopted at 9 Ill. Reg. 10005, effective June 15, 1985; amended at 14 Ill. Reg. 9101, effective May 23, 1990; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## DEPARTMENT OF EMPLOYMENT SECURITY

## NOTICE OF PROPOSED AMENDMENT

## SUBPART A: GENERAL PROVISIONS

Section 2830.50 Calculating The "National Average Of This Ratio" Under Section 401 Of The Act

Section 401 of the Act (Ill. Rev. Stat. 1989, ch. 48, par. 401) provides that, if certain factors occur, the "Statewide average weekly wage" will be frozen for a particular benefit period. One of these factors involves a determination of whether the average contribution rate for all employers in this State for the calendar two years prior to the benefit period, as a ratio of total contribution payments (including payments in lieu of contributions) to the total wages reported by employers in this State for that same period is 0.2% greater than the national average of this ratio. For purposes of calculating the "national average of this ratio":

- a) Payments in lieu of contributions shall be included in the total contribution payments;
- b) Contribution payments made by workers shall be included in the total contribution payments;
- c) Contribution payments and total wages reported in Puerto Rico, the Virgin Islands and the District of Columbia shall be included.

(Source: Added at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



OFFICE OF THE STATE FIRE MARSHAL  
NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances

- 2) Code Citation: 41 Ill. Adm. Code 170

- 3) Section Numbers:

170.800  
170.810  
170.820  
170.830  
170.840  
170.850  
170.860  
170.870  
170.880

Proposed Action:

New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section  
New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1989, Ch. 127 1/2, par. 154

- 5) A Complete Description of the Subjects and Issues Involved: Procedures for appealing an Administrative Order are specified, as are procedures governing the conduct of the hearing.

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? Yes ☐ No ☒  
If "yes", please specify the date:

- 8) Does this proposed amendment contain incorporations by reference? Yes

- 9) Are there any other proposed amendments pending on this Part? No  
Section Numbers Proposed Action Illinois Register Citation

- 10) Statement of Statewide Policy Objectives: N/A

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: The Office of the State Fire Marshal will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should be addressed to:

Keith H. Immke  
Legal Counsel, Division of Petroleum and Chemical Safety  
Office of the State Fire Marshal  
1035 Stevenson Drive  
Springfield, IL 62703-4259

OFFICE OF THE STATE FIRE MARSHAL  
NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Office of the Department of Commerce and Community Affairs: July 12, 1991

- B) Types of small businesses affected: Any small business which has an underground storage tank.

- C) Reporting, bookkeeping or other procedures required for compliance: An administrative hearing is optional; it is not required.

- D) Types of professional skills necessary for compliance: An administrative hearing is optional; it is not required.

The full text of the proposed amendments begins on the next page.



## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

## TITLE 41 FIRE PROTECTION

## CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

## PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF PETROLEUM AND OTHER  
REGULATED SUBSTANCES

## SUBPART A: MISCELLANEOUS

## Section

- 170.10 Definitions
- 170.11 Incorporation of National Standards
- 170.15 Bulk Sales Prohibited
- 170.20 Storage Underground and Limited
- 170.30 Setting of Tanks (Repealed)
- 170.40 Clearance Required for Underground Tanks
- 170.41 Location
- 170.50 Material and Construction of Tanks
- 170.60 Venting of Tanks
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- 170.91 Labeling of Containers and Pumps
- 170.100 Piping
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- 170.106 Installer, Repairer or Remover of Underground Storage Tanks
- 170.107 Tester of Underground Storage Tanks and Cathodic Protection
- 170.108 Pressure Testing
- 170.110 Building
- 170.115 Safe Heat Required
- 170.120 No Flammable or Combustible Liquids Within Building - Exception
- 170.130 Greasing Pits
- 170.140 Wash and Greasing Rooms
- 170.145 Fire Extinguishers
- 170.150 Self-Service - No Self-Service Without Permit; Procedures and Regulations
- 170.160 Care and Attendance
- 170.170 Fire Extinguishers (Repealed)
- 170.180 Sale of Fireworks
- 170.190 Approval of Plans (Repealed)
- 170.200 Defective Equipment
- 170.210 Deliveries from Portable Tanks Restricted
- 170.310 Unattended Self/Service Other Than Fleet Operations

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

## SUBPART B: UNDERGROUND STORAGE TANKS -- TECHNICAL REQUIREMENTS

- 170.400 Definitions
- 170.410 Incorporations by Reference
- 170.420 Design, Construction, Installation and Notification of New UST Systems
- 170.430 Upgrading of Existing UST Systems
- 170.440 Notification Requirements
- 170.450 Spill and Overfill Control
- 170.460 Operation and Maintenance of Corrosion Protection
- 170.470 Compatibility
- 170.480 Repairs Allowed
- 170.490 Reporting and Recordkeeping
- 170.500 General Release Detection Requirements for All UST Systems
- 170.510 Release Detection Requirements for Petroleum UST Systems
- 170.520 Release Detection Requirements for Hazardous Substance UST Systems
- 170.530 Methods of Release Detection for Tanks
- 170.540 Methods of Release Detection for Piping
- 170.550 Release Detection Recordkeeping
- 170.560 Reporting of Suspected Releases
- 170.570 Investigation Due to Off-Site Impacts
- 170.580 Release Investigation and Confirmation Steps
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- 170.610 Initial Abatement Measures and Site Check
- 170.620 Temporary Closure of Out-of-Service UST Systems
- 170.630 Change-in-Service of UST Systems
- 170.640 Assessing the Site at Removal or Change-in-Service of UST Systems
- 170.650 Applicability to Previously Removed UST Systems
- 170.660 Removal or Change-in-Service Records
- 170.670 Abandonment of Underground Storage Tanks

## SUBPART C: UNDERGROUND STORAGE TANKS -- FINANCIAL RESPONSIBILITY REQUIREMENTS

- 170.700 Incorporation by Reference

## SUBPART D: UNDERGROUND STORAGE TANKS -- ADMINISTRATIVE PROCEDURE RULES

- 170.800 Definitions
- 170.810 Notice
- 170.820 Appearances
- 170.830 Official Notice
- 170.840 Procedure
- 170.850 Briefs
- 170.860 Transcripts
- 170.870 Order of the Fire Marshal
- 170.880 Revocation or Suspension of the Registration of a Contractor



## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

TABLE A SCHEDULE FOR PHASE-IN OF RELEASE DETECTION  
TABLE B MANUAL TANK GAUGING: WEEKLY AND MONTHLY STANDARDS

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1989, ch. 127 1/2, par. 154)

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; amended March 6, 1963 and April 4, 1977; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 12324, effective July 2, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 5669, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989; amended at 13 Ill. Reg. 8875, effective May 24, 1989; amended at 13 Ill. Reg. 14992, effective September 11, 1989; amended at 14 Ill. Reg. 5781, effective April 10, 1990; amended at 15 Ill. Reg. 7042, effective April 29, 1991; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

## SUBPART D: UNDERGROUND STORAGE TANKS -- ADMINISTRATIVE PROCEDURE RULES

## Section 170.800 Definitions

"Contractor" means installer, repairer, remover, replacer or tester of underground storage tanks; "repairer" includes "upgrader".

"Hearing Officer" means the presiding official designated by the Fire Marshal to conduct a hearing, and preside over pre-hearing and post-hearing matters in a case.

"OSFM" means "Office of the State Fire Marshal".

"Party" or "parties" means an individual(s), trust(s), firm(s), partnership(s), joint stock company(s), corporation(s), consortium(s), joint venture(s), commercial entity(s), Federal government, State government, municipality(s), commission(s), unit(s) of local government or political subdivision(s) of the State, or any interstate body(s).

"Revocation" means termination of a contractor's registration to perform the activity(s) the contractor was registered to perform. Upon conclusion

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

of the revocation period, a contractor whose registration was revoked may perform the activity(s) the contractor was registered to perform only by re-registering (assuming the applicant is not otherwise prohibited from re-registering).

"Suspension" means the prohibition of a contractor to perform the activity(s) the contractor was registered to perform, for a period of time not to exceed one year. If the period of suspension ends prior to the termination of the registration period, the suspended contractor may resume performing the activity(s) the contractor was registered to perform for the remainder of the registration period. If the period of suspension ends subsequent to the termination of the registration period, the suspended contractor may not perform the activity(s) the contractor was registered to perform until the suspension period has ended and the contractor has re-registered (assuming the applicant is not otherwise prohibited from re-registering).

(Source: Added at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.810 Notice

Notice of the time and place for any hearing shall be given to the party or parties concerned; if any such party is known, through written communication to OSFM, to be represented by an identifiable attorney in the subject matter of the hearing, then the Notice is to be given to that attorney. Notice sent by United States registered or certified mail, addressed to the person concerned at the last known address of that person, is sufficient.

(Source: Added at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.820 Appearances

a) At hearings before OSFM, a party to the proceeding may represent that party, or that party may be represented at the hearing by any person who is admitted to practice as an attorney by the Supreme Court of Illinois or who is authorized to practice law in this State by rules of comity.

b) Others not qualified to practice law in this State may not appear at hearings before OSFM in a representative capacity, but such persons may testify at such hearings and may assist attorneys in preparation of cases for presentation by such attorneys at hearings.

(Source: Added at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.830 Official Notice

Official notice may be taken of all facts of which judicial notice may be



## OFFICE OF THE STATE FIRE MARSHAL

## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

## NOTICE OF PROPOSED AMENDMENTS

taken and of other facts, of a technical nature, within the specialized knowledge and experience of OSFM.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.840 Procedure

## The Hearing Officer shall:

- a) administer oaths and affirmations;
- b) preside over the hearings; regulate the course of hearings; set the time and place for continued hearings; set the time for filing documents; and provide for the taking of testimony by deposition, if necessary;
- c) examine witnesses and direct witnesses to testify; limit the number of times any witness may testify; limit repetitious or cumulative testimony; and set reasonable limits on the amount of time each witness may testify;
- d) receive evidence; rule upon objections to admissibility of evidence; and rule upon offers of proof;
- e) sign and issue subpoenas that require attendance, testimony, or the production of papers, books, documentary evidence or other tangible things;
- f) dispose of procedural requests or similar matters;
- g) render Findings of Fact, Conclusions of Law, Opinions and Recommendations for an Order of the Fire Marshal;
- h) enter any Order that expedites the purpose of this Rule; and
- i) generally conduct the hearing, and all pre-hearing and post-hearing matters according to generally recognized administrative law and this Rule.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.850 Briefs

The parties may submit written briefs to the Hearing Officer within 10 days after the close of the hearing or such other reasonable time as the Hearing Officer shall determine, consistent with the responsibility of the Fire Marshal for an expeditious decision.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.860 Transcripts

The proceedings at hearings shall be transcribed by a hearing reporter (also known as a "court reporter"). Transcripts of hearings are not provided by OSFM to any party.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.870 Order of the Fire Marshal

- a) The Hearing Officer shall submit the Findings, Conclusions, Opinions and Recommendations to the Fire Marshal.
- b) The Fire Marshal shall review the submissions and issue an Order within a reasonable time.
- c) The decision will become effective immediately upon execution of a written Order.
- d) The parties and their attorneys shall be notified as soon as reasonably possible by sending them a copy of the Order by United States registered or certified mail, addressed to the person concerned at the last known address of that person.

(Source: Added at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)

## Section 170.880 Revocation or Suspension of the Registration of a Contractor

- a) The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart B, by a contractor, may result in a suspension or revocation of that contractor's registration for the following durations:
  - 1) For the first violation committed at any facility, the registration of any contractor may be suspended or revoked up to one year.
  - 2) For the second violation committed at any facility, the registration of any contractor may be suspended for any period of time up to one year or may be revoked up to two years.
  - 3) For the third violation, and any violation(s) thereafter, committed at any facility, the registration of any contractor may be suspended up to one year or revoked for any period of time.
- b) The violation(s) of a provision(s) of 41 Ill. Adm. Code, Subpart A, by a contractor, may result in a suspension of that contractor's registration for the following durations:
  - 1) For the first violation, the registration of any contractor may be suspended up to six months.
  - 2) For the second violation, the registration of any contractor may be suspended or revoked up to one year.
  - 3) For the third violation, the registration of any contractor may be suspended up to one year or revoked up to two years.
  - 4) For the fourth violation, and any violation thereafter, registration of any contractor may be revoked up to 5 years.
- c) Hearing Officer Guidelines for Suspension or Revocation:
  - 1) In determining whether the registration of a contractor shall be suspended or revoked and, if so, for how long, the Hearing Officer shall consider, in addition to subsection (a) or (b), the following factors:



## OFFICE OF THE STATE FIRE MARSHAL

## NOTICE OF PROPOSED AMENDMENTS

- A) Threat to public health, safety or property;  
 B) Harm to public health, safety or property;  
 C) Nature of the violation;  
 D) Extent of the violation;  
 E) Gravity of the violation;  
 F) Time between the violation and any previous violation resulting in suspension or revocation;  
 G) Culpability of the violator;  
 H) Recalcitrance toward the regulation violated; and  
 I) Number of Administrative Orders, complied or closed, issued against the violator in conjunction with subsections (C)(I) (A) through (E).
- 2) The time period for any suspension or revocation may be imposed consecutively or concurrently with the time period for any other suspension or revocation.
- d) Effects of Suspension or Revocation:  
 1) A contractor whose registration was suspended or revoked as a result of a violation(s) involving one or more registered activities, is also suspended or revoked, in a like manner, for a like duration, from performing any other activity the contractor was registered to perform.  
 2) During the period of a suspension or revocation, the contractor whose registration was suspended or revoked may not register to perform any other activity.  
 3) A contractor whose registration was suspended or revoked may not perform any activity requiring registration pursuant to a permit issued prior to the suspension or revocation; in such a case, the contractor is not entitled to a refund of the permit fee and is not entitled to amend the permit or permit application to list another contractor.  
 4) A contractor whose registration has been suspended or revoked may not register under the name of a different contractor during such period of suspension or revocation.  
 5) For purposes of this subsection, any officer of a corporation, or any owner or co-owner of any other business entity that is a contractor, is also identified as a contractor that is one and the same as the business entity at the time of the suspension or revocation.

(Source: Added at \_\_\_ Ill. Reg. \_\_\_ effective \_\_\_)

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Life Insurance Solicitation  
 2) Code Citation: 50 Ill. Adm. Code 930  
 3) Section Numbers: Proposed Action:  
     930.60 Amended
- 4) Statutory Authority: Implementing Article XXVI and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 1028 et seq. and 1013).
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to Section 155.05 of the Insurance Code (Ill. Rev. Stat. 1989, ch. 73, par. 767.5) two additional disclosure requirements need to be added to this rule in order to ensure that the family or representative of the deceased is not deprived of the advantages of open competition and unrestricted choice in the procuring and purchasing of supplies and services in connection with the burial of the deceased.
- 6) Will this proposed rule replace emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: Not applicable.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to comment on this proposed rulemaking may submit written comments no later than 45 days after the publication of this Notice to:

Kirk H. Petersen  
 Assistant Chief Counsel  
 Department of Insurance  
 320 West Washington  
 Springfield, Illinois 62767



## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: The Department has determined that these proposed amendments will not affect small businesses.

The full text of the Proposed amendments begins on the next page:

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

TITLE 50: INSURANCE  
CHAPTER I: DEPARTMENT OF INSURANCE  
SUBCHAPTER II: INSURANCE PRODUCERS, LIMITED INSURANCE REPRESENTATIVES AND REGISTERED FIRMS

PART 930  
LIFE INSURANCE SOLICITATION

## Section

930.10 Authority

930.20 Purpose

930.30 Scope

930.40 Definitions

930.50 Disclosure Requirements

930.60 Preneed Funeral Contracts or Prearrangements

{Renumbered}

930.70 General Rules (Renumbered)

930.80 Life Insurance Buyer's Guide

Language and Content (Renumbered)

930.90 Failure to Comply (Renumbered)

Exhibit A Life Insurance Buyer's Guide

AUTHORITY: Implementing Article XXVI and authorized by Section 401 of the Illinois Insurance Code (Ill. Rev. Stat. 1989, ch. 73, pars. 1028 et seq. and 1013).

SOURCE: Adopted at 4 Ill. Reg. 15, p. 177, effective July 1, 1980; codified at 7 Ill. Reg. 2364; amended at 14 Ill. Reg. 13594, effective August 14, 1990; amended at Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_.

Section 930.60 Preneed Funeral Contracts or Prearrangements

{Renumbered}

The following information shall be given in writing to the applicant at the time an application is made, prior to accepting the applicant's initial premium or deposit, for a preneed funeral contract or prearrangement as defined in Section 930.50(h) above which is funded or to be funded by a life insurance policy:

- a) The fact that a life insurance policy is involved or being used to fund a prearrangement,
- b) the nature of the relationship among the soliciting agent or agents, the provider of the funeral or cemetery merchandise or services, and any other person,



## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- c) the relationship of the life insurance policy to the funding of the prearrangement and the nature and existence of any guarantees relating to the prearrangement,
- d) the impact on the prearrangement
  - 1) of any changes in the life insurance policy including but not limited to, changes in the assignment, beneficiary designation or use of the proceeds,
  - 2) of any penalties to be incurred by the policyholder as a result of failure to make premium payments,
  - 3) of any penalties to be incurred or monies to be received as a result of cancellation or surrender of the life insurance policy,
  - 4) the fact that the family or representative of the deceased has the right to change the choice of the provider of the funeral/cemetery merchandise and services upon the demise of the insured.
- e) an itemized list of the merchandise and services which are applied or contracted for in the prearrangement and all information concerning the price of the funeral service, including an indication that the purchase price is either guaranteed at the time of purchase or to be determined at the time of need,
- f) all information concerning:
  - 1) the disposition of any proceeds from the policy in excess of the amount needed to fund the prearrangement; and
  - 2) any remaining or outstanding obligations of the estate for payment of any difference between the amount actually needed to fund the prearrangement and the life insurance policy proceeds; and
  - 3) payment of proceeds to a secondary beneficiary in the event the policy proceeds exceed the prearranged costs of the funeral/cemetery merchandise and services.

## DEPARTMENT OF INSURANCE

## NOTICE OF PROPOSED AMENDMENTS

- g) any penalties or restrictions, including but not limited to geographic restrictions or the inability of the provider to perform, on the delivery of merchandise, services or the prearrangement guarantee.

No person shall be designated the owner of a life insurance policy used to fund a prearrangement if the person's only insurable interest in the insured is the receipt of the proceeds from the policy or in naming who shall receive the proceeds. Such persons would include the funeral home providing the services and the insurance producer who sold the policy.

(Source: Amended at \_\_\_\_\_ Ill. Reg. \_\_\_\_\_ effective \_\_\_\_\_)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

1) The Heading of the Part: AID TO THE AGED, BLIND OR DISABLED

2) Code Citation: 89 Ill. Adm. Code 113

3) Section Number: Proposed Action:

113.306

Repealed

4) Statutory Authority: Sections 4-12, 12-8 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 4-12, 12-8 and 12-13)

5) A Complete Description of the Subjects and Issues Involved: The Department is eliminating payment for stoves, refrigerators and furniture to clients under the AABD program, the Emergency Assistance Program and the Hardship Program. This change is being made in an effort to curtail expenditures under these programs.

6) Will this Proposed Amendment replace an Emergency Amendment currently in effect? No

7) Does this rulemaking contain an automatic repeal date?  
Yes ☒ No ☐

8) Does this Proposed Amendment contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? Yes

Section Numbers Proposed Action Illinois Register Citation

113.125 Amendment May 10, 1991  
(15 Ill. Reg. 6913)

113.155 Amendment May 17, 1991  
(15 Ill. Reg. 7444)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendment was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 15, 1991.

B) Types of small businesses affected: New and used appliance and furniture stores.

C) Reporting, bookkeeping or other procedures required for compliance: No reporting, bookkeeping or other procedures required.

D) Types of professional skills necessary for compliance: No additional professional skills required.

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

## PART 113

## AID TO THE AGED, BLIND OR DISABLED

## SUBPART A: GENERAL PROVISIONS

## Section

113.1 Description of the Assistance Program  
113.5 Incorporation By Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

## Section

113.9 Client Cooperation  
113.10 Citizenship  
113.20 Residence  
113.30 Age  
113.40 Blind  
113.50 Disabled  
113.60 Living Arrangement  
113.70 Institutional Status  
113.80 Social Security Number

## SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

## Section

113.100 Unearned Income  
113.101 Budgeting Unearned Income  
113.102 Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision  
113.103 Initial Receipt of Unearned Income  
113.104 Termination of Unearned Income  
113.105 Unearned Income In-Kind  
113.106 Earmarked Income  
113.107 Lump Sum Payments and Income Tax Refunds  
113.108 Protected Income  
113.109 Earned Income  
113.110 Budgeting Earned Income  
113.111 Protected Income  
113.112 Earned Income  
113.113 Budgeting Earned Income  
113.114 Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision  
113.115 Initial Employment  
113.116 Budgeting Earned Income For Contractual Employees

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

Budgeting Earned Income For Non-contractual School Employees

Termination of Employment

Exempt Earned Income

Recognized Employment Expenses

Income From Work/Study/Training Programs

Earned Income From Self-Employment

Earned Income From Roomer and Boarder

Earned Income From Rental Property

Earned Income In-Kind

Payments from the Illinois Department of Children and Family Services

Assets

Exempt Assets

Asset Disregard

Deferral of Consideration of Assets

Property Transfers For Applications Filed Prior To

October 1, 1989

Property Transfers For Applications Filed On Or

After October 1, 1989

Court Ordered Child Support Payments of

Parent/Step-Parent

Sponsors of Aliens

Assignment of Medical Support Rights

## SUBPART D: PAYMENT AMOUNTS

## Section

113.245 Payment Levels for AABD  
113.246 Personal Allowance  
113.247 Personal Allowance Amounts  
113.248 Shelter  
113.249 Utilities and Heating Fuel  
113.250 Laundry  
113.251 Telephone  
113.252 Transportation, Lunches, Special Fees  
113.253 Allowances for Increase in SSI Benefits  
113.254 Nursing Care or Personal Care in Home Not Subject to Licensing  
113.255 Sheltered Care in a Licensed Group Care Facility  
113.256 Shopping Allowance  
113.257 Special Allowances for Blind and Partially Sighted (Blind Only)  
113.258 Home Delivered Meals  
113.259 AABD Fuel and Utility Allowances By Area  
113.260 Sheltered Care Rates



## NOTICE OF PROPOSED AMENDMENT

Section  
113.261

Cases in Licensed Intermediate Care Facilities,  
Licensed Skilled Nursing Facilities, DMHDD  
Facilities and All Other Licensed Medical Facilities

## SUBPART E: OTHER PROVISIONS

## Section

113.300 Persons Who May Be Included In the Assistance Unit  
113.301 Grandfathered Cases  
113.302 Interim Assistance  
113.303 Special Needs Authorizations  
113.304 Retrospective Budgeting  
113.305 Budgeting Schedule  
113.306 Purchase and Repair of Household Furniture (Repealed)  
113.307 Property Repairs and Maintenance  
113.308 Excess Shelter Allowance  
113.320 Redetermination of Eligibility  
113.500 Attorney's Fees for SSI Appellants

**AUTHORITY:** Implementing Article III and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq. and 12-13)

**SOURCE:** Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. 33, p. 399, effective August 18, 1979; amendment at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of

## NOTICE OF PROPOSED AMENDMENT

150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 10, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9367, effective August 1, 1983; amended at 7 Ill. Reg. 17351, effective December 21, 1983; amended at 8 Ill. Reg. 537, effective December 30, 1983; amended at 8 Ill. Reg. 5225, effective April 9, 1984; amended at 8 Ill. Reg. 6746, effective April 27, 1984; amended at 8 Ill. Reg. 11414, effective June 27, 1984; amended at 8 Ill. Reg. 13273, effective July 16, 1984; amended (by sections being codified with no substantive



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

change) at 8 Ill. Reg. 17895; amended at 8 Ill. Reg. 18896, effective September 26, 1984; amended at 9 Ill. Reg. 5335, effective April 5, 1985; amended at 9 Ill. Reg. 8166, effective May 17, 1985; amended at 9 Ill. Reg. 8657, effective May 25, 1985; amended at 9 Ill. Reg. 11302, effective July 5, 1985; amended at 9 Ill. Reg. 11636, effective July 8, 1985; amended at 9 Ill. Reg. 11991, effective July 12, 1985; amended at 9 Ill. Reg. 12806, effective August 9, 1985; amended at 9 Ill. Reg. 15896, effective October 4, 1985; amended at 9 Ill. Reg. 16291, effective October 10, 1985; emergency amendment at 10 Ill. Reg. 364, effective January 1, 1986; amended at 10 Ill. Reg. 1183, effective January 10, 1986; amended at 10 Ill. Reg. 6956, effective April 16, 1986; amended at 10 Ill. Reg. 8794, effective May 12, 1986; amended at 10 Ill. Reg. 10628, effective June 3, 1986; amended at 10 Ill. Reg. 11920, effective July 3, 1986; amended at 10 Ill. Reg. 15110, effective September 5, 1986; amended at 10 Ill. Reg. 15631, effective September 19, 1986; amended at 11 Ill. Reg. 3150, effective February 6, 1987; amended at 11 Ill. Reg. 8712, effective April 20, 1987; amended at 11 Ill. Reg. 9919, effective May 15, 1987; emergency amendment at 11 Ill. Reg. 12441, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20880, effective December 14, 1987; amended at 12 Ill. Reg. 867, effective January 1, 1988; amended at 12 Ill. Reg. 2137, effective January 11, 1988; amended at 12 Ill. Reg. 3497, effective January 22, 1988; amended at 12 Ill. Reg. 5642, effective March 15, 1988; amended at 12 Ill. Reg. 6151, effective March 22, 1988; amended at 12 Ill. Reg. 7687, effective April 22, 1988; amended at 12 Ill. Reg. 8662, effective May 13, 1988; amended at 12 Ill. Reg. 9023, effective May 20, 1988; amended at 12 Ill. Reg. 6996, effective May 24, 1988; emergency amendment at 12 Ill. Reg. 11828, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 14162, effective August 30, 1988; amended at 12 Ill. Reg. 17849, effective October 25, 1988; amended at 13 Ill. Reg. 63, effective January 1, 1989; emergency amendment at 13 Ill. Reg. 3402, effective March 3, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 6007, effective April 14, 1989; amended at 13 Ill. Reg. 12553, effective July 12, 1989; amended at 13 Ill. Reg. 13609, effective August 11, 1989; emergency amendment at 13 Ill. Reg. 14467, effective September 1, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 16154, effective October 2, 1989, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 720, effective January 1, 1990; amended at 14 Ill. Reg. 6321, effective April 16, 1990; amended at 14 Ill. Reg. 13187, effective August 6, 1990; amended at 14 Ill. Reg. 14806, effective September 3, 1990; amended at 14 Ill. Reg. 16957, effective September 30,

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENT

1990; amended at 15 Ill. Reg. 277, effective January 1, 1991; emergency amendment at 15 Ill. Reg. 1111, effective January 10, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 5291, effective April 1, 1991; amended at 15 Ill. Reg. 5598, effective April 10, 1991; amended at 15 Ill. Reg. 7104, effective April 30, 1991; amended at 15 Ill. Reg. \_\_\_\_\_, effective July 22, 1991; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## SUBPART E: OTHER PROVISIONS

## Section 113.306 Purchase and Repair of Household Furniture (Repealed)

- a) 1) Payment for the purchase of household furniture and equipment will be authorized when the item is essential, or the existing item cannot be repaired or is not worth the cost of repair (i.e., an item is determined "unrepairable or not worth the cost of repair" by a person who is an expert in that field of repair finding that the item is unrepairable or not worth the cost of repair).
- 2) Payment for the repair of household furniture and equipment will be authorized when the existing item is repairable and the cost of such repairs is less than the replacement costs (i.e., an item is determined to be "repairable" by a person who is an expert in that field of repair finding that the item is repairable).

- b) The household furnishings and equipment considered essential items are:

- 1) Stove
- 2) Refrigerator
- 3) Kitchen Tables
- 4) Kitchen Chairs
- 5) Beds

(Source: Repealed at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: CRISIS ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 116

3) Section Numbers: Proposed Action:

116.510

Amendment  
116.520  
Amendment

4) Statutory Authority: Sections 4-12, 12-8 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. 4-12, 12-8 and 12-13)

5) A Complete Description of the Subjects and Issues

Involved: The Department is eliminating payment for stoves, refrigerators and furniture to clients under the AABD program, the Emergency Assistance Program, and the Hardship Program. This change is being made in an effort to curtail expenditures under these programs.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?  
Yes ☐ No ☒

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Flr., Springfield, Illinois 62762 (217/782-1233). The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis:

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 15, 1991

B) Types of small businesses affected: New and used appliance and furniture stores.

C) Reporting, bookkeeping or other procedures required for compliance: No reporting, bookkeeping or other procedures required.

D) Types of professional skills necessary for compliance: No additional professional skills required.

The full text of the Proposed Amendments begins on the next page:



NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 116  
CRISIS ASSISTANCE

Section 116.10 Incorporation By Reference  
116.400 Crisis Assistance Programs  
116.500 Special Assistance Program  
116.510 Emergency Assistance Program  
116.520 Hardship Program

AUTHORITY: Implementing Articles III, IV and VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 6-1 et seq. and 12-13)

SOURCE: Filed and effective December 30, 1977; amended at 4 Ill. Reg. 13, p. 1287, effective March 17, 1980; amended at 5 Ill. Reg. 12722, effective October 28, 1981; codified at 7 Ill. Reg. 5195; emergency amendment at 9 Ill. Reg. 18154, effective November 15, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 11027, effective June 11, 1986; amended at 11 Ill. Reg. 6487 effective March 17, 1987; amended at 12 Ill. Reg. 14207, effective August 30, 1988; amended at 13 Ill. Reg. 3847, effective March 10, 1989; amended at 14 Ill. Reg. 16970, effective September 30, 1990; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 116.510 Emergency Assistance Program

Emergency Assistance may be provided in the following situations:

- a) Lost or Stolen Cash
- When as a result of lost or stolen cash, a family is deprived of food or essential clothing, the following amounts may be authorized:
- 1) Food, in amounts as specified in Section 116.500(c) and not to exceed the amount of cash which was lost or stolen.

NOTICE OF PROPOSED AMENDMENTS

Section 116.510 Emergency Assistance Program (Cont'd)

- 2) Essential clothing, as defined and in amounts as specified in Section 116.500(b) and (c) and not to exceed the amount of cash which was lost or stolen.

- b) Court Ordered Eviction Due to Non-Payment of Rent
- When a family is deprived of shelter or threatened with immediate deprivation of shelter due to court order requiring eviction due to non-payment of rent, payment for rent shall, if all eligibility criteria for the Emergency Assistance Program are met, be authorized in an amount not to exceed the following maximums:

| Counties           | Rent     |
|--------------------|----------|
| Group I Counties   | \$142.00 |
| Group II Counties  | \$123.00 |
| Group III Counties | \$ 87.00 |

(See 89 Ill. Adm. Code 113.258 for County Groupings)

- c) Emergency Shelter

The Department shall reimburse private and public social service agencies with whom the Department has written agreements for emergency shelter and food provided to recipients. Reimbursement shall be made in amounts and in accordance with those agreements.

- d) Stoves and/or Refrigerators

- 1) The Department will pay for the purchase or repair of a stove and/or a refrigerator when the family has an existing non-functional appliance or is moving into a residence where one is not provided. Payment shall be authorized in an amount not to exceed the following maximums:

|              |       |
|--------------|-------|
| Stove        | \$-90 |
| Refrigerator | \$150 |



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

- Section 116.510 Emergency Assistance Program (Cont'd)
- 2) Payment-for-the-purchase-or-repair-of-a-stove-and-or-refrigerator-shall-not-be-made-in-the-following-circumstances+
- A) the-family-lives-in-a-dwelling-owned-by-a-Public-Housing-Authority-(the-Housing-Authority-is-required-to-provide-stoves-and-refrigerators)+
- B) a-leasee-covenant-landlord/tenant-agreement-or-other-document-exists-that-obligates-the-landlord-to-provide-the-appliance+
- C) a-verification-is-requested-and-it-is-not-provided+
- D) need-dees-not-exist+
- E) the-family-lives-in-an-arrangement-that-is-not-temporary-with-other-family-members-or-friends-who-are-not-on-Public-Aid-or
- F) the-assistance-unit-is-a-child-only-easer

## e)d) Program Restriction

The recipient may only receive emergency assistance during one period of thirty (30) consecutive days in any twelve (12) consecutive months. This may include payments to meet needs which occur before or extend beyond the thirty (30) day period.

## f)e) Time Limits

- 1) A decision shall be made and assistance authorized within the time frames established in Section 116.500(d).
- 2) Payment shall be made to the private and public social services agencies, within time limits specified in the written agreements.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program

- a) When a client who is receiving financial assistance as a General Assistance (GA) case in the City of Chicago, or as an Aid to Families With Dependent Children (AFDC) case, or as an Aid to the Aged, Blind or Disabled (AABD) case experiences a hardship resulting from needs which cannot be met from existing client resources, existing community resources, the assistance standards, Medical Assistance Program, Special Assistance Program or Emergency Assistance Program, the client may request special consideration as a hardship. Needs covered by the Hardship Program include:
- 1) Essential Food
- If the client fails to use all existing community resources for food, the allowance for food will not be authorized.
- 2) Essential Clothing
- A) Essential clothing is defined as those articles of clothing appropriate for the season.
- B) If everyone in the assistance unit has at least one full set of clothing, appropriate to the season, this allowance for clothing will not be authorized.
- 3) Household-Furnishings
- Essential-household-furnishings-are-limited-to-the-following+
- A) Kitchen-table---one-per-assistance-unit+
- B) Kitchen-Chairs---one-per-person-in-assistance-unit+
- C) Beds---to-ensure-appropriate-sleeping-facilities-for-all-members-of-the-assistance-unit+
- 4) Repair-or-Replacement-of-Stoves-and-Refrigerators-when-the-family-has-an-existing-non-functional-appliance-or-is-moving-into-a-residence-where-one-



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

is not provided or when the family is not eligible for Emergency Assistance (see Section 116.510) --- Payment for the purchase or repair of a stove or refrigerator shall not be made in the following circumstances:

- A) the family lives in a dwelling owned by a Public Housing Authority (the Housing Authority is required to provide stoves and refrigerators);
- B) a lease, covenant, landlord/tenant agreement, or other document exists that obligates the landlord to provide the appliance;
- C) need does not exist; or
- D) the family lives in an arrangement that is not temporary with other family members or friends who are not on Public Aid.

### 5132 Repairs or Replacement of Furnaces (Homestead Property Only)

- A) No repair or replacement will be authorized when there is co-ownership of the property with an individual not in the assistance unit.
- B) Repair or replacement of a furnace is limited to property that is not in danger of foreclosure. The assistance unit must provide verification which indicates mortgage payments and tax payments are current.
- C) No repair or replacement of the furnace will be approved for homes which have knowingly been purchased with non-working furnaces.
- D) Before total replacement of a furnace is considered, verification must be provided from a reputable source (i.e., recognized in the community as being in the furnace repair business) that the furnace is not repairable.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

- E) Hardship Assistance for furnace repair must be seasonally appropriate (September through May).

### 6141 Non-Medical Needs Related to Essential Medical Care

Non-medical needs for essential medical care are needs associated with the provision of specialized or essential medical care and include the following:

- A) Food - when overnight lodging is required or when extensive travel is required during the day in order to obtain essential or specialized medical care.
- B) Lodging - when overnight lodging is required to obtain essential or specialized medical care.
- C) Transportation to the source of essential or specialized medical care when it cannot be provided by the Medical Assistance Program or some other source. Transportation expenses for routine office visits associated with normal medical care shall not be allowed.

- D) Telephone Installation - when a telephone is essential for medical treatment.

### b) Maximum Payments

The maximum payments for essential food, clothing, and household furnishings used under the Special Assistance Program (see Section 116.500) are also used for the Hardship Program. The maximum payment amounts allowed for other items are:

- 1) Stoves --- \$90
- 2) Refrigerators --- \$150
- 3) Repair or Replacement of a furnace - Repair or replacement of a furnace will be based on the lowest cost estimate from a reputable source for



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

the same or similar type heating system. No up-grading of heating systems will be approved.

4)2) Non-medical needs related to essential medical care:

- A) Food - \$9.00 a day or \$3.00 per meal.
- B) Lodging - Lodging expenses shall be approved for the least expensive rate which provides lodging that is adequate and available to meet the individual's needs. Payment will not be provided for a higher amount if it can be determined that lodging is available free of charge or at a lower rate.
- C) Transportation - when transportation cannot be provided by the Medical Assistance Program, transportation expenses shall be approved for the least expensive mode of transportation adequate to meet the individual's needs. When transportation is by private automobile, the allowable rate shall be at 24¢ per mile.

- D) Telephone Installation - When medically necessary, payment shall be made for the installation of one telephone, based on the service estimate provided by the local phone company. If the telephone instrument cannot be leased from the phone company, payment may also be authorized to purchase a telephone. Payments shall not be authorized for required deposits, for previously owed bills, or for on-going monthly bills once the phone has been installed.

c) Eligibility for the Hardship Program

- 1) Eligibility for non-medical needs related to essential medical care is determined through the verification of a specialized or essential medical need. The verification of a specialized or essential medical need is provided by the client's primary care physician. Eligibility for all other needs defined under the Hardship

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

Program shall be determined by verifying the need for hardship assistance and by calculating the amount of income the family has available to meet the verified hardship need.

- 2) If the family's available income is more than the cost of the needed item, the family is not eligible for Hardship Assistance. Available income is calculated by subtracting the family's necessary living expenses from the family's total income. The family is defined as children, the children's mother, father (including step-parents and grandparents), if they reside in the household.

- 3) Income from all sources is used to determine the family's total income. Total income includes, but is not limited to the following: all public assistance grants, SSA, SSI, Child Support, energy assistance checks, wages, retirement benefits, pensions, etc. No source of income is exempt from consideration when determining the family's total income.

- 4) The following expenses only are considered necessary living expenses under the Hardship Program:

- A) Shelter - rent or mortgage
- B) Necessary utilities - heat, gas, electricity, water, sewer and trash
- C) A food expense amount - determined by subtracting the family's food stamp amount from the USDA maximum for that size household (see 89 Ill. Adm. Code 121.64).

- D) An amount, based on size of the assistance unit for the purchase of household supplies. The allowable amounts are:

| Size Assistance Unit | Household Supplies |
|----------------------|--------------------|
|----------------------|--------------------|



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

|    |         |
|----|---------|
| 1  | \$11.00 |
| 2  | \$14.00 |
| 3  | \$17.00 |
| 4  | \$17.00 |
| 5  | \$20.00 |
| 6  | \$20.00 |
| 7  | \$22.00 |
| 8  | \$22.00 |
| 9  | \$23.00 |
| 10 | \$24.00 |

For assistance units greater than 10, allow \$1.00 for each additional person.

- 5) When there are other people present in the household that have income but are not part of the family, expenses for shelter, utilities and food shall be prorated. When there are two or more separate assistance units in the same household, expenses should be prorated between the two assistance units.
- 6) Only rent, mortgage and necessary utility expenses which have been verified as actually paid by the client shall be allowed as a living expense. The family's necessary living expenses are subtracted from the family's total income to determine the family's available income. This income is considered to be available for use by the family to meet its hardship need(s).
- 7) The family's available income is compared to the cost (the maximum payment amount) of the needed item. If the family's available income is more than the cost of the needed item, the family is not eligible for Hardship Assistance.
- 8) When more than one item is needed, the Department shall subtract the cost of the most expensive items from available income which ensures that the maximum amount of the family's available income is applied toward the cost of the needed items. The combination of items which can be purchased by the maximum use of available income will be disapproved by the Department. The

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 116.520 Hardship Program (Cont'd)

remaining needed items which cannot be purchased through the use of available income shall be approved by the Department.

## d) Time Limits

- 1) A decision shall be made and assistance, if any, issued within forty-five (45) days of the date of the request for hardship assistance.
- 2) When a home visit to verify need has been attempted, seven (7) calendar days shall be allowed for the client to contact the Department and schedule a second visit. If the client fails the second attempted visit, the request for hardship assistance will be denied.
- 3) Ten (10) calendar days shall be allowed for the client to provide any additional verification, which was not available at the home visit.

## e) Program Restrictions

Payment for the cost of repair or maintenance of homestead property for AFDC and GA clients shall not be allowed under this program. See 89 Ill. Adm. Code 113.307 for property repairs as a special need item for AABD clients.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)



DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: HOSPITAL SERVICES

2) Code Citation: 89 Ill. Adm. Code 148

3) Section Numbers: Proposed Action:

148.340 Amendment  
148.360 Amendment  
148.370 Amendment  
148.380 Amendment  
148.390 Amendment

4) Statutory Authority: Sections 5-5.1 et seq. and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, Ch. 23, Pars. (5-5.1 et seq. and 12-13))

5) A Complete Description of the Subjects and Issues Involved: This rulemaking effects changes in the Department's coverage of alcohol and substance abuse treatment services.

6) Will these Proposed Amendments replace Emergency Amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date? Yes ☒ No

8) Do these Proposed Amendments contain incorporations by reference? No

9) Are there any other Proposed Amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Daniel Leikvold, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, 201 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762 (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis:

A) Date Proposed Amendments were submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: July 1, 1991

B) Types of small businesses affected: Medical Providers

C) Reporting, bookkeeping or other procedures required for compliance: No new procedures required

D) Types of professional skills necessary for compliance: No new skills required

The full text of the Proposed Amendments begins on the next page:



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER I: DEPARTMENT OF PUBLIC AID  
SUBCHAPTER d: MEDICAL PROGRAMSPART 148  
HOSPITAL SERVICES

|         |   |
|---------|---|
| Section |   |
| 148.10  | Hospital Services   |
| 148.20  | Participation   |
| 148.30  | General Requirements  |
| 148.40  | Special Requirements  |
| 148.50  | Covered Hospital Services   |
| 148.60  | Hospital Services Not Covered   |
| 148.70  | Limitation On Hospital Services   |
| 148.80  | Transplants   |
| 148.90  | Heart Transplants   |
| 148.100 | Liver Transplants   |
| 148.110 | Bone Marrow Transplants   |
| 148.120 | Disproportionate Share Hospital Adjustments   |
| 148.130 | Payment for Inpatient Services for GA   |
| 148.140 | Hospital Outpatient and Clinic Services   |
| 148.150 | Payment for Hospital Services During Fiscal Year 1982                                       |
| 148.160 | Payment for Hospital Services During Fiscal Year 1983                                       |
| 148.170 | Limits on Length of Stay by Diagnosis   |
| 148.180 | Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting |
| 148.190 | Copayments  |
| 148.200 | Payment Methodology   |
| 148.210 | Non-Participating Hospitals   |
| 148.220 | Pre July 1, 1989 Services   |
| 148.230 | Post June 30, 1989 Services   |
| 148.240 | Prepayment Review   |
| 148.250 | Base Year Costs   |
| 148.260 | Restructuring Adjustment  |
| 148.270 | Inflation Adjustment  |
| 148.280 | Groupings   |
| 148.290 | Rate Calculation  |
| 148.300 | Payment   |
| 148.310 | Review Procedure  |
| 148.320 | Alternatives  |
| 148.330 | Exemptions  |
| 148.340 | Subacute Alcoholism and Substance Abuse Treatment Services                                  |
| 148.350 | Definitions   |
| 148.360 | Types of Subacute Alcoholism and Substance Abuse Treatment Services                         |

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

|         |   |
|---------|---|
| Section |   |
| 148.370 | Payment for Subacute Alcoholism and Substance Abuse Treatment Services      |
| 148.380 | Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services |
| 148.390 | Hearings  |

AUTHORITY: Implementing Article III of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1989, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1989, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Sections 148.10 thru 148.390 recodified from 89 Ill. Adm. Code 140.94 thru 140.398 at 13 Ill. Reg. 9572; Section 148.120 recodified from 89 Ill. Adm. Code 140.110 at 13 Ill. Reg. 12118; amended at 14 Ill. Reg. 2553, effective February 9, 1990; emergency amendment at 14 Ill. Reg. 11392, effective July 1, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 15358, effective September 13, 1990; amended at 14 Ill. Reg. 16998, effective October 4, 1990; amended at 14 Ill. Reg. 18293, effective October 30, 1990; amended at 14 Ill. Reg. 18499, effective November 8, 1990; emergency amendment at 15 Ill. Reg. \_\_\_\_\_, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

## Section 148.340 Subacute Alcoholism and Substance Abuse Treatment Services

- a) Payment may be made for subacute alcoholism and other drug abuse treatment services provided by:
- 1) A provider licensed by the Illinois Department of Alcoholism and Substance Abuse under the provisions of 77 Ill. Adm. Code 2058.
  - 2) A provider licensed by the Illinois Department of Public Health under the provisions of 77 Ill. Adm. Code 250.2830(b) and (c).
- 2)3) Psychiatrists for ancillary diagnostic services.
- b) Providers must be certified for participation by the Department of Alcoholism and Substance Abuse in accordance with 77 Ill. Adm. Code 2090.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 148.340 Subacute Alcoholism and Substance Abuse  
Treatment Services (Cont'd)

- c) Certified providers shall comply with all provisions of 77 Ill. Adm. Code 2090.
- d) Providers shall enroll for participation in the Medical Assistance Program as provided in 89 Ill. Adm. Code 140.11.

(Source: Amended at 15 Ill. Reg. \_\_\_\_, effective \_\_\_\_)

Section 148.360 Types of Subacute Alcoholism and Substance  
Abuse Treatment Services

The specific types of subacute services for which payment can be made are:

- a) Outpatient treatment - the provision of face to face diagnostic and individual, group, or family treatment on a scheduled or non-scheduled basis to an individual who in the clinical judgment of a qualified treatment professional is experiencing a problem with alcohol and/or drugs (for example, family, social, financial, employment, educational, and/or legal). These services shall be delivered in accordance with an individual treatment plan recommended by a physician. Services shall include, but not be limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, case coordination, aftercare, and follow-up. Outpatient services may be provided in a recipient's place of residence or other off-site location when required because of illness, disability, or infirmity and documented in the recipient's treatment plan.

## b) Intensive Outpatient Treatment Services

- 1) The provision of diagnostic and individual or group treatment on a scheduled-only basis to an individual who in the clinical judgment of a qualified treatment professional is experiencing a problem with alcohol and/or drugs (for example, family, social, financial, employment, educational, and/or legal). These services shall be delivered in accordance with an individual's treatment plan recommended by a physician.

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

Section 148.360 Types of Subacute Alcoholism and Substance  
Abuse Treatment Services (Cont'd)

- 2) Intensive outpatient treatment is a structured program offered a minimum of four days or evenings per week, includes a minimum of 20 hours of treatment services per recipient per week, and must occur in a licensed subacute setting (see 77 Ill. Adm. Code 2058). Treatment services shall include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group or family counseling, education, case coordination, aftercare, and follow-up. This programmatic scope is required unless a specific waiver has been granted by the licensing authority.

- c) Detoxification - the provision of immediate physiological stabilization, diagnosis, and short term treatment (for example, up to five days) on a non-scheduled basis to an individual who is, in the clinical judgment of the qualified treatment professional in accordance with 77 Ill. Adm. Code 2058, intoxicated or experiencing withdrawal from the ingestion of alcohol and other drugs, but whose physical and emotional condition does not require the intensity of an acute care setting. Services are provided in accordance with an individual treatment plan recommended by a physician when rendered in a licensed short term residential setting, for the treatment of intoxication or withdrawal from ingestion of alcohol, or in a licensed subacute hospital setting (see 89 Ill. Adm. Code 250), or under the direction of a physician to individuals under age 21 by a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations, and is also a-licensed as a subacute residential setting (see 77 Ill. Adm. Code 2058). Services must and shall include, but are not limited to assessment, evaluation, diagnosis, determination of need for more specialized medical care, rest under close observation, individual counseling, case coordination and subsequent referral, room and board, meals, and staff supervision.
- d) Ancillary diagnostic services - Psychiatric evaluations performed by a psychiatrist to determine whether an individual's primary condition is



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 148.360 Types of Subacute Alcoholism and Substance Abuse Treatment Services (Cont'd)

attributable to the effects of an ingested substance or to a diagnosed psychiatric or psychological disorder. Ancillary services may be provided in a licensed treatment facility (see 77 Ill. Adm. Code 2058) or in the psychiatrist's office.

- e) Residential Rehabilitation - The provision of diagnostic services and individual or group treatment on a scheduled-only residential basis in accordance with an individual treatment plan recommended by a physician in a licensed subacute hospital setting (see 89 Ill. Adm. Code 250), or under the direction of a physician to individuals under age 21 by a psychiatric facility or an inpatient program in a psychiatric facility, either of which is accredited by the Joint Commission on Accreditation of Health Care Organizations, and is also licensed as a subacute residential setting (see 77 Ill. Adm. Code 2058). This service is designed to reduce or eliminate, through a controlled milieu, an individual's intake of alcohol and/or other substances. Residential-rehabilitation-must-be-delivered-in-accordance-with-an-individual-treatment-plan-recommended-by-a-physician-- Services must include, but are not limited to assessment, evaluation, diagnosis, and subsequent individual, group, or family counseling, education, case coordination, aftercare and followup. Residential rehabilitation is a structured residential program offered seven days per week and includes a minimum of 25 hours of treatment activities per client per week. Individuals experiencing active psychotic manifestations, or other severe mental or physical illness which requires immediate acute medical or psychiatric care, should not be admitted to residential rehabilitation. In addition, the individual shall not be intoxicated, incapacitated due to the effects of alcohol or other drugs, or in withdrawal.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services

- a) The amount approved for payment for alcoholism and substance abuse treatment is based on the type and amount of services required by and actually delivered to a recipient. The amount is determined in accordance with prospective rates developed by the Department of Alcoholism and Substance Abuse and approved and adopted by the Department of Public Aid (see 77 Ill. Adm. Code 2090.70). The adopted rate shall not exceed the charges to non-recipients.
- b) Rates are generated through the application of formal methodologies specific to each category, are cost-based, and individually established for each service category at each provider.
- 1) Outpatient services shall be reimbursed at an all-inclusive per client hour rate payable to the nearest quarter hour. Such services are defined as face-to-face counseling with a diagnosed client. No more than three client hours shall be reimbursed for any recipient during a 24 hour period. No more than two of those hours may be reimbursed for group treatment.
  - 2) Intensive outpatient services shall be reimbursed at an all-inclusive per diem rate; a client day is defined as a minimum of four hours per 24 hour period. No more than one client day shall be reimbursed for any recipient during any 24 hour period.
  - 3) Residential rehabilitation services shall be reimbursed at an all-inclusive per diem rate. No more than one client day shall be reimbursed for any recipient during any 24 hour period.
  - 4) Detoxification services shall be reimbursed at an all-inclusive per diem rate. However, admissions less than twelve hours in length shall have a per episode rate.
  - 5) Ancillary diagnostic services shall be reimbursed on a per encounter basis to practitioners at the practitioner's usual and customary charge, not to exceed the maximum established by the Department in accordance with 89 Ill. Adm. Code 140.400.



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 148.370 Payment for Subacute Alcoholism and Substance Abuse Treatment Services (Cont'd)

- 6) Payment ~~The Department~~ shall not be made to ~~reimburse~~ a provider for more than one covered subacute alcoholism or substance abuse treatment service per day except for ancillary services which may be reimbursed in addition to one of the other covered services.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## Section 148.380 Rate Appeals for Subacute Alcoholism and Substance Abuse Treatment Services

- a) Providers may appeal their rates, but must do so within 30 days of the postmark date of the rate notice.

- b) Rate may be appealed pursuant to 77 Ill. Adm. Code 2090.

- c) Appeals shall be submitted in writing to the Illinois Department of Public Aid, Division of Medical Programs.

- d) The Department of Public Aid shall refer the appeal to the Department of Alcoholism and Substance Abuse for analysis of the appeal's basis, and substance. Further clarification of the information submitted may be requested of the agency. The Department of Alcoholism and Substance Abuse shall prepare a recommendation for the Department of Public Aid which shall make the final administrative decision based upon the appeal's conformity with 77 Ill. Adm. Code 2090.80.

- e) The provider will be notified of the appeal decision in writing within 60 days of the receipt of the written appeal.

- f) Depending upon the result of the decision on the appeal, any change in the reimbursement rate may be retroactive to the beginning of the rate year or to the date of the program change within affected rate year that serves as the basis for the rate appeal.

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 148.390 Hearings

- a) The Department ~~and the Department of Alcoholism and Substance Abuse (DASA)~~ may jointly initiate administrative proceedings pursuant to 89 Ill. Adm. Code Part 104, Subpart C, to suspend or terminate certification and eligibility to participate in the Illinois Medical Assistance Program where the provider:

- 1) Has failed to comply with 77 Ill. Adm. Code 2090.40(a)(2); 2090.40(b)(2); 2090.40(c)(2); or 2090.40(d), and/or

- 2) Has failed to comply with 77 Ill. Adm. Code 2090.110(b)(2), and/or

- 3) Does not have a valid license for an enrolled treatment service category issued by the appropriate licensing authority, and/or

- 4) Any of the grounds for payment recovery or termination set forth in 89 Ill. Adm. Code 140.15 or 140.16 are present.

- b) When a proceeding is initiated against providers of alcoholism or substance abuse services, the Department ~~and DASA, jointly~~ shall notify the provider of the intended action(s). Notice, service and proof of service shall be in accordance with the "Rules of Practice For Medical Vendor Administrative Proceedings" (89 Ill. Adm. Code 104: Subpart C).

- c) All hearings held pursuant to these rules shall be conducted by an attorney designated by the Director of the Department as a hearing officer and said hearing shall be conducted under and governed by the applicable "Rules of Practice For Medical Vendor Administrative Proceedings" promulgated by the Department (Ill. Adm. Code 104: Subpart C).

- d) The hearing officer shall prepare a written report of the case which shall contain findings of fact and recommended decisions with regard to the issues of certification and participation in the Medicaid program. The Director of DASA shall make a final determination regarding certification, which shall be in writing and forwarded to the Director of IDPA. The Director of the Department shall then make a final



## DEPARTMENT OF PUBLIC AID

## NOTICE OF PROPOSED AMENDMENTS

## Section 148.390 Hearings (Cont'd)

decision concerning participation in the Medicaid Program, based on the findings of fact, the recommended decision and the final certification determination by DASA. A final administrative decision shall be issued in writing and contain findings of fact and the final determinations concerning certification and participation in the Medicaid Program. A copy of the decision shall be served on each party.

- e) ~~The Department may initiate proceedings on its own against providers of alcoholism and substance abuse services pursuant to 89 Ill. Adm. Code 140.15 or 140.16.~~

(Source: Amended at 15 Ill. Reg. \_\_\_\_\_, effective \_\_\_\_\_)

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Crossings of Rail Carriers and Highways
- 2) Code Citation: 92 Ill. Adm. Code 1535
- 3) Section numbers: 1535.501  
Adopted Action: Repealed
- 4) Statutory Authority: Implementing Section 18c-7401 and authorized by Section 18c-1202 of The Illinois Commercial Transportation Law (Ill. Rev. Stat 1989, ch.95 1/2, par. 18c-1101 et seq.).
- 5) Effective Date of Amendment: July 10, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 10, 1991
- 9) Notice of Proposal Published in Illinois Register:  
November 9, 1990 at 14 Ill. Reg. 18177
- 10) Has JCAR issued a Statement of Objections to this amendment?  
No.
- 11) Difference(s) between proposal and final version:  
There have been no changes.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes.
- 13) Will this amendment replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments:  
Public Act 85-1144 Amended Section 18c-7402(2)(a) of the Law to allow the Commission to exempt rail carriers from the signalling at highway crossings only after hearing to determine that such exemption will leave the public sufficiently protected. The current rule provides for a



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

blanket exemption from the whistling requirement and is, therefore, being repealed.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Kathy Lynch  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280  
(217)785-1018

The full text of the Adopted Amendment begins on the next page:

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION  
CHAPTER III: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER C: RAIL CARRIERS

PART 1535  
CROSSINGS OF RAIL CARRIERS AND HIGHWAYS

## SUBPART A: SCOPE AND APPLICATION

## Section

1535.10

General Order

1535.20

Part Not Retroactive

1535.30

Requirements for Maintenance of Grade Crossings

1535.40

Requirements for Marking and Warning Devices at Grade Crossings

1535.50

Requirements for Establishment and Construction of

1535.60

Grade Crossings

Permission to Install Other Equipment or Devices

## SUBPART B: DEFINITIONS

## Section

1535.100

Definitions

## SUBPART C: ESTABLISHMENT, CONSTRUCTION AND MAINTENANCE OF GRADE CROSSINGS

## Section

1535.201

Application for Permission to Extend a Street or Highway

1535.202

General Plan or Plot

1535.203

Construction and Maintenance of Grade Crossing

1535.204

Grade Line of Highway Approaches

1535.205

Right-of-Way to Be Kept Clear

1535.206

Crossings and Approaches

1535.207

Adjustment of Crossings and Approaches

1535.208

Maintenance, Operation and Renewal of Signs, Signals, and Other Warning Devices

1535.209

Poles, Structures or Other Objects in Right-of-Way

1535.210

Erection and Maintenance of Other Signs

1535.211

Provisions of Law (Repealed)

## SUBPART D: MARKING AND WARNING DEVICES AT GRADE CROSSINGS

## Section

1535.300

Crossbuck Signs

1535.310

Advance Warning Signs and Pavement Markings

1535.320

Floodlights as Warning Devices

1535.330

Watchman Warning



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

1535.333 Flashing Light Signals  
 1535.335 Location of Signals  
 1535.340 Direction of Indication  
 1535.341 Mounting Lamp Units  
 1535.342 Design of Lamps, Hoods, and Backgrounds  
 1535.343 Warning Indication  
 1535.344 Lenses and Roundels  
 1535.345 Signs on Flashing Light Signals  
 1535.346 Bells on Flashing Light Signals  
 1535.347 Painting  
 1535.348 Power Source  
 1535.349 Manual Operation  
 1535.350 Circuits  
 1535.360 Gates  
 1535.365 Automatic Gates

## SUBPART E: CHANGES IN EXISTING CROSSING MARKING OR WARNING DEVICES

Section  
 1535.400 Procedure Before Commission

## SUBPART F: OPERATION OF RAILROAD TRAINS AND CARS OVER GRADE CROSSINGS

Section  
 1535.501 Sounding of Bell, Whistle or Horn (Repealed)  
 1535.502 Other Warning  
 1535.503 Approaching Grade Crossings Prepared to Stop  
 1535.504 Crew Member to Give Warning at Crossing

## SUBPART G: SUBWAYS AND VIADUCTS

Section  
 1535.601 Order of Commission to Construct Subway or Viaduct  
 1535.602 Petitioner For Permission  
 1535.603 Plans Considered Separately  
 1535.604 Hazard Markers  
 1535.605 Mounting of Hazard Markers  
 1535.606 Clearance Signs

## SUBPART H: BARRICADES

Section  
 1535.701 Construction of Barricades

## APPENDIX A Forms

ILLUSTRATION A Form 1 (Repealed)  
 ILLUSTRATION B Form 2 (Repealed)

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

ILLUSTRATION C Form 3 (Repealed)

APPENDIX B Drawings  
 ILLUSTRATION A ReflectORIZED Crossbuck Signrs (50 degrees)  
 ILLUSTRATION B ReflectORIZED Crossbuck Signr; (90 degrees)  
 ILLUSTRATION C Advance Warning Sign  
 ILLUSTRATION D ReflectORIZED "Watchman Off Duty" Sign  
 ILLUSTRATION E Flashing Light Signal for Highway Crossings  
 ILLUSTRATION F Flashing Light Signal with Cantilever Mounted Auxiliary Lights  
 ILLUSTRATION G "No Right Turn" or "No Left Turn" Signal  
 ILLUSTRATION H ReflectORIZED "Gates Not Working" Sign

AUTHORITY: Implementing Section 18c-7401 and authorized by Section 18c-1202 of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-7401 and 18c-1202).

SOURCE: Filed and effective August 22, 1973; codified at 8 Ill. Reg. 8906; Part recodified at 10 Ill. Reg. 17994; amended at 11 Ill. Reg. 19027, effective November 15, 1987; amended at 15 Ill. Reg. 10920, effective July 10, 1991.

NOTE: Statutory language is denoted by capital letters.

## SUBPART F: OPERATION OF RAILROAD TRAINS AND CARS OVER GRADE CROSSINGS

Section 1535.501 Sounding of Bell, Whistle or Horn (Repealed)

Each rail carrier in the State of Illinois is hereby excused from sounding a locomotive bell, whistle or horn as required by Section 18c-7402(2)(a) of the Law (Ill. Rev. Stat. 1985, ch. 95 1/2, par. 18c-7402(2)(a)) at such railroad-highway grade crossings which have flashing light signals or flashing light signals combined with short arm gates that are automatically controlled and operated by means of track circuits or other automatic devices and installed in accordance with the provisions of general rules of this Part; at all other railroad-highway grade crossings the warning required by said statute should be given in accordance therewith until excused by special order of the Commission after public hearing.

(Source: Repealed at 15 Ill. Reg. 10920, effective July 10, 1991)



## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Transfers of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1270
- 3) Section numbers: 1270.200  
Adopted Action:  
New Section
- 4) Statutory Authority: Implementing Sections 18c-4301 and 18c-4306 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law (Ill. Rev. Stat 1989, ch.95 1/2, par. 18c-1101 et seq.).
- 5) Effective Date of Amendment: July 10, 1991
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: July 10, 1991
- 9) Notice of Proposal Published in Illinois Register:  
October 5, 1990, at 14 Ill. Reg. 16170
- 10) Has JCAR issued a Statement of Objections to this amendment?  
No.

11) Difference(s) between proposal and final version:

The last sentence of (b) has been changed to read as follows "Notification shall be accomplished by completing and filing the forms obtained from the Commission for such purpose, along with a filing fee, which shall be equal to the fee established for applications to transfer licenses at 92 Ill. Adm. Code 1205.10(a)(3)(A).

The wrong fee citation was included in the text as proposed and has been corrected.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?  
Yes.

- 13) Will this amendment replace an emergency amendment currently in effect? No.

## ILLINOIS COMMERCE COMMISSION

## NOTICE OF ADOPTED AMENDMENT

- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Amendments:

This proposal for rulemaking stems from the decision of the Seventh Circuit Court of Appeals in the case of *Leaseway Transportation Copt. v. Bushnell*, 888 F.2nd 1212. In that case the Court ruled that when the Interstate Commerce Commission approves or exempts the transfer of interstate authority from one company to another, 49 U.S.C. 11341 preempts this Commission's jurisdiction over transfers of any interstate authority which the transferring company also holds.

The proposed rule provides that this Commission would recognize the transfer of intrastate licenses in transactions approved or exempted by the Interstate Commerce Commission, but that the licenses may not be exercised unless and until the transferees notify the Commission of the details, and pay the appropriate filing fee (\$300). In this way the Commission will be able to retain some control over its licenses. The Court in *Leaseway* recognized this residual right when it said that "the Illinois Commerce Commission may not act as a 'gate-keeper' handing down prior approval of Leaseway's acquisitions, but it may certainly impose filing or notice requirements....".

- 16) Information and questions regarding this adopted amendment shall be directed to:

Kathy Lynch  
Illinois Commerce Commission  
527 East Capitol Avenue  
P.O. Box 19280  
Springfield, IL 62794-9280  
(217)785-1018

The full text of the Adopted Amendment begins on the next page:



ILLINOIS COMMERCE COMMISSION

NOTICE OF ADOPTED AMENDMENT

TITLE 92: TRANSPORTATION  
CHAPTER III: ILLINOIS COMMERCE COMMISSION  
SUBCHAPTER a: COMMERCIAL TRANSPORTATION GENERALLY

PART 1270  
TRANSFERS OF LICENSES

SUBPART A: EXPEDITED (NON-HEARING) TRANSFERS

Section  
1270.10 Procedures for Review of Expedited Transfer Applications  
1270.20 Transfers Involving Immediate Family  
1270.30 Transfers from One Corporation to a Related Corporation  
1270.40 Expedited Transfers Generally  
1270.50 Forms

SUBPART B: OPERATIONS BY FIDUCIARIES PENDING TRANSFER

Section  
1270.100 Authority of Fiduciary to Continue Operations  
1270.110 Authority Does Not Extend to Transfers by Fiduciary  
1270.120 Required Filings by Fiduciary

SUBPART C: TRANSFERS NOT SUBJECT TO COMMISSION APPROVAL

Section  
1270.200 Transfers Not Subject to Commission Approval  
  
AUTHORITY: Implementing Sections 18c-4301 and 18c-4306 and authorized by Section 18c-1202(9) of the Illinois Commercial Transportation Law (Ill. Rev. Stat. 1989, ch. 95 1/2, pars. 18c-4301, 18c-4306, and 18c-1202(9)).

SOURCE: Adopted at 11 Ill. Reg. 17776, effective October 15, 1987; Amended at 15 Ill. Reg. 10925, effective July 10, 1991.

SUBPART C: TRANSFERS NOT SUBJECT TO COMMISSION APPROVAL  
Section 1270.200 Transfers Not Subject to Commission Approval

- (a) If a merger, acquisition of control, or other transaction which is authorized pursuant to 49 U.S.C. 11343 involves one or more motor carriers of property licensed by the Commission, such transaction shall be recognized by the Commission subject to the provisions of subsection (b) of this Section.
- (b) No license transferred by operation of 49 U.S. C. 11343

NOTICE OF ADOPTED AMENDMENT

shall be effective for any purpose unless and until the person to whom the license is being transferred notifies the Commission of such transfer. Notification shall be accomplished by completing and filing the forms obtained from the Commission for such purpose, along with a filing fee established for applications to transfer licenses at 92 Ill. Adm. Code 1205.10(a)(3)(A).

(Source: Added at 15 Ill. Reg. 10925, effective July 10, 1991)



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Administration of the Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Adopted Action:

1501.113 amendment  
1501.508 amendment  
1501.509 amendment  
1501.515 amendment  
1501.517 amendment

4) Statutory Authority: 111. Rev. Stat. 1989, ch. 122, pars. 102-1 et seq., pars. 103-1 et seq, and par. 106-5.3

5) Effective Date of Amendments: July 11, 1991

6) Does this Rulemaking contain an Automatic Repeal Date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: July 11, 1991

9) Notice of Proposal Published in Illinois Register?

November 30, 1990 14 Ill. Reg. 18890

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: The authority note was modified. The last two sentences were deleted from the proposed version of 1501.113(b). In 1501.508, 509, 515, and 517, the language was altered slightly dealing with the identification of improper expenditures subsequently verified by the ICCB.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments:

1501.113

These modifications to the ICCB rules are proposed to allow the Board to make district detachment/annexation decisions based in part on self-determination or the wishes of local residents.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

1501.508, 1501.509, and 1501.515

The purpose of these proposed amendments is to address the return of unused and improperly used grant funds.

1501.517

These amendments are designed to allow a district to subsidize the retiree's health insurance cost where the individual chooses to maintain coverage independent of the district. Fiscal year 1990 was the first year of the retirees health insurance grant program. A major concern identified during the year was the ineffectiveness of the program in serving all community college retirees. Contributing to this situation is the fact that the grant's status is uncertain from year to year. Consequently, although a district may be able to make coverage available, the retiree is gambling on the availability of funds to subsidize his/her cost in the future. Furthermore, the uncertainty of the funding from year to year discourages retirees from forfeiting their current coverage in lieu of the coverage offered through the college. Finally, in most cases where coverage has been made available by the district's carrier, various pre-existing condition exclusions and physical examination requirements have been associated with the coverage. This is a significant disincentive for the retiree to pursue the district's coverage, especially if the retiree currently possesses a policy from an independent source.

16) Information and questions regarding these adopted rules shall be directed to:

David L. Stechman  
Associate Director  
Governmental Relations  
Illinois Community College Board  
509 South Sixth Street, Room 400  
Springfield, Illinois 62701-1874  
Telephone: (217) 785-0078

The full text of the Adopted Amendments begins on the next page:



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

## PART 1501

## ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

## SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

## Section

1501.101 Definition of Terms

1501.102 Advisory Groups

1501.103 Rule Adoption (Recodified)

1501.104 Manuals

1501.105 Advisory Opinions

1501.106 Executive Director

1501.107 Information Request (Recodified)

1501.108 Organization of ICCB (Recodified)

1501.109 Appearance at ICCB Meetings

1501.110 Appeal Procedure

1501.111 Reporting Requirements

1501.112 Certification of Organization

1501.113 Administration of Detachments and Subsequent *Mandatory and Voluntary* Annexations *and New/District Formations*

## SUBPART B: RECOGNITION

## Section

1501.201 Definition of Terms

1501.202 Recognition Provisions

1501.203 Evaluation

1501.204 Review and Appeal

1501.205 Recognition Standards

## SUBPART C: PROGRAMS

## Section

1501.301 Definition of Terms

1501.302 Units of Instruction, Research, and Public Service

1501.303 Program Requirements

1501.304 Statewide and Regional Planning

1501.305 College, Branch, and Extension Centers

1501.306 State or Federal Institutions (Repealed)

1501.307 Cooperative Agreements and Contracts

1501.308 Reporting Requirements

1501.309 Course Classification and Applicability

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART D: STUDENTS

## Section

1501.401 Definition of Terms

1501.402 Admission of Students

1501.403 Student Services

1501.404 Academic Records

1501.405 Student Evaluation

1501.406 Reporting Requirements

## SUBPART E: FINANCE

## Section

1501.501 Definition of Terms

1501.502 Financial Planning

1501.503 Audits

1501.504 Budgets

1501.505 Non-Resident Student Tuition Calculations

1501.506 Published Financial Statements

1501.507 Credit Hour Grants

1501.508 Special Populations Grant

1501.509 Economic Development Grants

1501.510 Reporting Requirements

1501.511 Chart of Accounts

1501.514 Business Assistance Grants (Repealed)

1501.515 Advanced Technology Equipment Grants

1501.516 Repair and Renovation Grants

1501.517 Retirees Health Insurance Grants

## SUBPART F: CAPITAL PROJECTS

## Section

1501.601 Definition of Terms

1501.602 Approval of Capital Projects

1501.603 State Funded Capital Projects

1501.604 Locally Funded Capital Projects

1501.605 Project Changes

1501.606 Progress Reports (Repealed)

1501.607 Reporting Requirements

1501.608 Approval of Projects in Section 3-20.3.01 of the Act

1501.609 Completion of Projects Under Section 3-20.3.01 of the Act

1501.610 Demolition of Facilities











## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART E: FINANCE

## 1501.508 Special Populations Grants

- a) Special populations grant funds shall be allocated annually to each Illinois public community college district in accordance with Section 2-16 of the Act.
- b) Special populations grant funds shall be accounted for in a restricted purposes fund.
- c) The following are allowable expenditures for special populations grant funds:
  - 1) Personnel. Salaries and benefits for courses and services provided only to special populations students.
  - A) Tutors, both student and professional.
  - B) Counselors and paraprofessional counselors who spend a minimum of fifty (50) percent of their time working with special populations students.
  - C) Adult basic/secondary and remedial education instructors, not to exceed thirty (30) percent of the total special populations grant per district.
  - D) Direct support service personnel for assistance to students with disabilities, e.g., readers, notetakers, and drivers.
  - E) Professional and paraprofessional staff who provide outreach services and special retention programs designed for special populations students.
  - 2) Testing and Assessment Materials. Testing and assessment materials used to identify special populations students.
  - 3) Instructional Materials. Books, media packages such as computer software, and testing and evaluation materials provided only to special populations students.
  - 4) Instructional Equipment. Lease or purchase of, e.g., tape recorders, small computers, and readers provided only to special populations students.
  - 5) Travel related only to special populations student activities for both college personnel and students.
    - A) Special populations student activities such as field trips and student transportation.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

- B) Conference expenses related directly to special populations grant activities.
- 6) Staff development expenditures for special populations grant personnel and outside consultants.
- 7) The following special populations grant administrative expenditures relate only to special populations grants. The total administrative expenditures may not exceed thirty (30) percent of the total special populations grant per district.
  - A) Administrative salaries.
  - B) Office staff salaries.
  - C) Office equipment.
  - D) Utilities.
  - E) Rental of facilities.
- d) Reports of services, courses, and expenditures supported by the special populations grant shall be filed with the ICCB by August 1 of each year on forms provided by the ICCB.
- e) An initial grant in the amount designated in Section 2-16 of the Act shall be allocated for expenditure by each community college within a multi-campus district. Remaining funds within a multi-college district may be allocated according to district policies.
- f) Special populations grant funds shall be expended or obligated prior to June 30 each year. Goods for which the funds have been obligated shall be received and paid for prior to September 30 following the end of the fiscal year for which the funds were appropriated. Funds for services, including salaries and benefits, may not be obligated for services rendered after June 30. Unexpended funds totaling \$100 or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.
- g) Special populations grant funds not used in accordance with this Section regardless of the amount shall be returned to the ICCB within six months after receipt of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Amended at 15 Ill. Reg. 10929, effective July 11, 1991)



## ILLINOIS COMMUNITY COLLEGE BOARD

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## 1501.509 Economic Development Grants

- a) A minimum of \$30,000 of each district's economic development grant shall be used to operate a business assistance center or economic development office, that is, expenditures specified in subsections (d)(1), (d)(5), (d)(6), (d)(7), (d)(8), and (d)(9).
- b) No more than twenty five (25) percent of each district's economic development grant may be used for expenditures of equipment as specified in subsections (d)(4) and (d)(9)(A).
- c) Economic development grant activities include the following:
  - 1) Conducting customized training programs for new or existing business and industry through the following activities:
    - A) Developing and offering customized industrial or commercially sponsored courses.
    - B) Establishing apprenticeship or internship programs with area business and industry.
  - 2) Providing the following employment training services training for unemployed or underemployed adults to improve their job skills and assist them in seeking employment.
    - A) Establishing and/or operating career counseling and testing programs.
    - B) Providing job placement assistance.
    - C) Conducting courses and workshops which are not claimed for credit hour grant funding.
  - 3) Cooperate with other economic development entities (such as chambers of commerce, economic development commissions, and local governments) involved in commercial and industrial expansion and/or retention to:
    - A) Provide assistance through special courses, workshops, and conferences to area business and industry and economic development entities on such topics as training; financing; starting, and operating a business; contract procurement; purchasing and accounting; and use of computers.
    - B) Identify and develop educational programs needed by business and industry for emerging occupations.

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

- C) Obtain the use of equipment from business and industry for employment training programs.
- D) Assist with the conduct of an assessment of the area's assets and liabilities in attracting and retaining business and industry.
- E) Assist with the conduct of an industrial retention survey to assess the need for training or other assistance by area business and industry.
- F) Provide appropriate training assistance or services determined necessary by surveys or assessments.
- G) Help to market the area to prospective business and industry.
- d) The following are allowable expenditures for economic development grant funds:
  - 1) Personnel. Salaries and benefits for the following personnel based on the percentage of time they spend on economic development activities.
    - A) Administrative and support staff of the business assistance centers or economic development offices.
    - B) Counselors that provide employment and educational counseling to unemployed or underemployed individuals.
    - C) Instructional personnel who teach courses, which are not eligible for credit hour grant funding, to unemployed or underemployed persons or who teach customized courses, which are not eligible for credit hour grant funding, for business and industry.
  - 2) Contractual Services. Expenditures for professional services which are determined by the college to be more appropriately or efficiently provided by other public or private entities to complete specific programmatic work needed to conduct the district's economic development activities.
  - 3) Instructional Materials. Books, films, and testing/evaluation materials for use in courses taught to unemployed and underemployed individuals or persons receiving industrial or customized training designed for area business and industry.



## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 4) Instructional Equipment. Lease or purchase of demonstrators, models, trainers, or other equipment for use in courses taught to unemployed and underemployed individuals or persons receiving customized training designed for area business and industry.
- 5) Promotional Materials. Brochures, newsletters, slide presentations, films, and advertisements used to market the districts' economic development services.
- 6) Staff Development. Seminars, courses, and conferences related to economic development for administrative staff that spend 51 percent of their time working in the business assistance center/economic development office.
- 7) Conference and Meeting Expenses. Expenses for conducting conferences and meetings related to economic development grant activities specified in subsection (c) at which business assistance center staff, business and industry, and/or economic development entities are in attendance.
- 8) Travel. Travel expenses related to economic development grant activities as specified in subsection (c) for staff specified in subsection (d)(1) and their supervisors.
- 9) The following are related costs of operating a business assistance center/economic development office.
  - A) Office equipment
  - B) Utilities and telephone
  - C) Consumable supplies
  - D) Duplicating
  - E) Facility rental
- e) Reports of services and courses supported by the economic development grant shall be filed with the ICCB by August 1 following the end of the fiscal year on forms provided by the ICCB.
- f) Economic development grant funds shall be accounted for in a set of self-balancing accounts within the restricted purposes fund.
- g) Economic development grant funds shall be expended or obligated prior to June 30 each year. Goods for which the funds have been obligated shall be received and paid for prior to September 30 following the end of the fiscal year for which the funds were appropriated. Funds for services, including salaries and benefits, may not be obligated for services rendered after June 30. Unexpended funds totaling \$100

## ILLINOIS COMMUNITY COLLEGE BOARD

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or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.

- h) Economic development grant funds not used in accordance with this Section regardless of the amount section 1501.515 shall be returned to the ICCB within six months after receipt of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Amended at 15 Ill. Reg. 10929, effective July 11, 1991)

## 1501.515 Advanced Technology Equipment Grants

- a) An annual grant shall be allocated to each Illinois public community college district in accordance with Section 2-16.01 of the Act.
- b) Advanced technology equipment grant funds shall be accounted for in a set of self-balancing accounts within the Restricted Purposes Fund [see Section 1501.511(a)(4)].
- c) Allowable expenditures for advanced technology equipment grant funds are: demonstrators, models, trainers, and other instructional equipment for classroom/laboratory use by students, including connectors, interfacing equipment, computer software, computer peripherals, operating and repair instruction manuals, and instructional furnishings that are designed for and integral to the use of the instructional equipment.
- d) By August 1 following the end of the fiscal year, the community college district shall file a report with the ICCB in a format prescribed by the ICCB, detailing how the funds were utilized.
- e) Advanced technology equipment grant funds shall be expended or obligated by June 30 of the year for which they were awarded. Goods for which the funds have been obligated shall be received and paid for by September 30 following the end of the fiscal year for which the funds were awarded. Unexpended funds totaling \$100 or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.



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- f) Advanced technology equipment grant funds ~~determined~~ not used ~~to be expended~~ in accordance with this section regardless of the amount shall be returned to the ICCB within six months after receipt ~~by the ICCB~~ of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Amended at 15 Ill. Reg. 10929, effective July 11, 1991)

## Section 1501.517 Retirees Health Insurance Grants

- a) Retirees health insurance grants shall be distributed proportionately to each district based on the number of that district's annuitants on July 1 of the fiscal year in which the appropriation is made as certified by the State Universities Retirement System (SURS).

- b) Retirees health insurance grants shall be used by a community college district to provide health insurance for the district's annuitants.

- c) Provision of retirees health insurance shall be considered as the

- 1) subsidization of costs for a retiree participating in one of the district's employee group health insurance plans or
- 2) subsidization of the retiree's health insurance costs for coverage independent of the district's plan.

- d) Annuitants eligible for Social Security benefits shall be required to enroll in Medicare Part A insurance which shall be considered their primary coverage.

- e) Retirees health insurance grants shall be expended or obligated by June 30 of the fiscal year in which the grant is received. Unexpended funds shall be returned to the ICCB by October 15 following the year for which the appropriation was made.

- f) Retirees health insurance grant ~~is~~ funds ~~determined~~ not used ~~to be expended~~ in accordance with this section regardless of the amount shall be returned to the ICCB within six months after receipt of the external audit report submitted pursuant to Section 3-22.1 of the Act or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Amended at 15 Ill. Reg. 10929, effective July 11, 1991)

## ILLINOIS REGISTER

## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Bingo License and Tax Act

- 2) Code Citation: 86 Ill. Adm. Code 430

- 3) Section Numbers: Adopted Action:

430.100 Amendment  
430.110 Amendment  
430.120 Amendment  
430.130 Amendment  
430.160 Amendment  
430.180 Amendment  
430.190 Amendment  
430.200 Amendment

- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 120, pars. 1101 et seq.

- 5) Effective Date of Amendments: July 10, 1991

- 6) Does this rulemaking contain an automatic repeal date: No

- 7) Does this amendment contain incorporations by reference: No

- 8) Date Filed in Agency's Principal Office: July 10, 1991

- 9) Notice(s) of Proposal Published in Illinois Register:

February 8, 1991, 15 Ill. Reg. 1724

- 10) Has ICAR issued a Statement of Objections to these rules: No

- 11) Difference(s) between proposal and final version: No differences between proposed and final version.

- 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes

- 13) Will these amendments replace an emergency rule currently in effect? No

- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments:

This rulemaking implements statutory amendments.



## DEPARTMENT OF REVENUE

## NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted amendment shall be directed to:

R. Dale Yung  
Administrator  
Legal Services Bureau  
101 West Jefferson Street  
Springfield, Illinois 61794  
Phone: (217) 782-6336

The full text of the Adopted Amendments begins on the next page:

## DEPARTMENT OF REVENUE

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TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 430  
BINGO LICENSE AND TAX ACT

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| 430.100 | Definitions   |
| 430.110 | Regular Licenses  |
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AUTHORITY: Implementing and authorized by the Bingo License and Tax Act (Ill. Rev. Stat. 1989, ch. 120, pars. 1101 et seq.).

SOURCE: Adopted August 31, 1971; amended at 2 Ill. Reg. 41, p. 154, effective July 22, 1978; amended at 3 Ill. Reg. 18, p. 219, effective May 4, 1979; amended at 4 Ill. Reg. 38, p. 213, effective September 8, 1980; emergency amendment at 6 Ill. Reg. 9012, effective July 23, 1982, for a maximum of 150 days; codified at 6 Ill. Reg. 14688; rules repealed, new rules adopted at 7 Ill. Reg. 6100, effective June 1, 1983; amended at 15 Ill. Reg. 10944, effective July 10, 1991.

## Section 430.100 Definitions

For purposes of these rules, the following definitions apply:

"Act": The Bingo License and Tax Act (Ill. Rev. Stat. 1981 1989, ch. 120, par. 1101 et seq.);

"Bingo": The form of lottery authorized by the Act in which prizes are awarded on the basis of designated numbers or symbols on a card for which consideration has been paid, conforming to numbers or symbols selected at random;

"Department": The Illinois Department of Revenue;

"License year": The year (or other period of time for which a license is issued pursuant to Section 430.110(d)) beginning on the date a license is issued under the Act, which date is stated on the



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license;

"Organization": a corporation, agency, partnership, association, firm or other entity consisting of two or more persons joined by a common interest or purpose;

"Received by the Department" or similar phrases: Whenever these rules require that any writing or any payment must be received within a specified number of days or by a specified date, the provisions of Section 1.25 of "aAn Act to revise the law in relation to the construction of the statutes" (Ill. Rev. Stat. 1981 1989, ch. 1, par. 1026) shall apply;

"Regular license": The license authorizing the holder to conduct one session of bingo per week on the date and at the time and location stated on the license;

"Session" or "bingo session": The time during which bingo is conducted, including the time during which bingo cards are sold. A licensed organization may not conduct more than one session per day;

"Substantially Complete Application": An application that on its face shows that the applicant has made a reasonable effort to complete all applicable parts of the application.

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.110 Regular Licenses

- a) Eligibility. To be eligible for a regular license an organization must have been organized in Illinois, and during the entire five year period preceding preceding application must have had a bona fide membership engaged in carrying out its objects. However, the five year requirement shall be reduced to two years if the Illinois organization is affiliated with and chartered by a national organization which meets the five year requirement. To be "chartered" by a national organization, an Illinois organization must have a document issued by the national organization formally authorizing the establishment of the Illinois organization. The organization must be conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation. In addition, the organization must fall within one of the following categories:

- 1) Charitable Organization: an organization organized and operated to benefit an indefinite number of the public;
- 2) Educational Organization: an organization organized and operated

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to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax supported schools. Public schools and school districts are not eligible for regular licenses;

- 3) Religious Organization: any church, congregation, society, or organization founded for the purpose of religious worship;

- 4) Fraternal organization: an organization of persons, including ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis;

- 5) Veterans Organization: an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit;

- 6) Labor Organization: an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations. Organizations composed of other labor organizations and not of workers are not eligible for a regular license;

- 7) Youth Athletic Organization: an organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under. Marching bands and drum and bugle corps are considered to be promoting and providing athletic activities. A youth athletic organization otherwise eligible for a regular license does not lose its eligibility because youths served by the organization become nineteen while participating in an athletic activity within a season of definite duration;

- 8) Senior Citizens Organization: an organization or association comprised of members of which substantially all are individuals who are 55 years of age or older, or who are nearing the age of 55 and for whom opportunities for employment and participation in community life are unavailable or severely limited and who, as a result thereof, have difficulty in maintaining self-sufficiency and contributing to the life of the community. The primary purpose of the organization must be the promotion of the welfare of its members.



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b) Applications. Application for a regular license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$200 in the form of a certified check or money order payable to the Illinois Department of Revenue. The Department will not consider applications which are not substantially complete, or which are not accompanied by the information described below.

1) Renewal applications. An application for renewal of a current regular license must be accompanied by the following information:

A) A report, on a form provided by the Department or on a reasonable facsimile thereof, which contains the same information requested on the Department's form, accounting for the disposition of the gross proceeds derived from bingo during the period covered by the report. (See Section 430.180(a));

B) The names of the members of the organization and the auxiliary organization (substantially all of whose members are spouses of members of the sponsoring organization) who will be workers at the bingo sessions (other than the "Operators" whose names are shown on the application form). The A presiding officer or operator of the organization must certify that the listed members have belonged to the organization for at least 30 days prior to participation in the organization's bingo sessions;

C) Any other information requested by the Department which is necessary to establish the continued eligibility of the organization for a regular license.

2) New applications. An organization applying for a regular license for the first time, or an organization which has held a regular license that expired prior to the receipt by the Department of a substantially complete application for renewal of the license, must submit the following information in addition to the completed application form;

A) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation should include, ~~when applicable, a copy of the organization's~~ (by-laws, constitutional, charter, minutes of past meetings, promotional material, and Articles of Incorporation) should prove that the organization has

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been carrying out its objectives for the 5 years preceding application;

B) A copy of the letter or any other document issued to the organization by the Attorney General showing that the organization has registered, or is exempt from registration, under "An Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor". (Ill. Rev. Stat. 1984 1989, ch. 23, par. 5101 et seq.);

C) The names of the members of the organization and the auxiliary organization (substantially all of whose members are spouses of members of the sponsoring organization) who will be workers at the bingo sessions (other than the "Operators" whose names are shown on the application form). The A presiding officer or operator of the organization must certify that the listed members have belonged to the organization for at least 30 days prior to participation in the organization's bingo sessions;

D) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a regular license;

E) The application must also be accompanied by a bond equal to the applicant's anticipated average quarterly tax liability, as described in Section 430.170 below. The bond may be a bond from a surety company or may be a bank certificate of deposit made payable to the Director of the Department. The bond may also be a personal surety bond signed by two personal sureties who have filed, with the Department, sworn statements disclosing net assets equal to at least three times the amount of the bond to be required of such applicant. The Department will require an additional bond whenever the bond already posted does not cover the licensee's average quarterly tax liability, or if in the Department's judgment the amount of bond or other security is not sufficient to protect the State against failure to pay the amount which may become due from the licensee. In determining whether to require the furnishing of additional bond or other security by a licensee, the Department will consider payment history, general financial condition, and any other factors which reasonably indicate increased risk



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of nonpayment of the licensee's tax liability.

c) ~~Except as provided in subsection (d) below, each regular license shall be valid for one year from its date of issuance. It is the policy of the Department to mail a renewal application to each regular licensee at least 30 days prior to the expiration of the license. However, failure to receive a renewal application does not excuse a licensee of its obligation to submit a substantially complete renewal application prior to the expiration of its current license. If the licensee fails to file a substantially complete renewal application prior to the expiration of its license, it must cease bingo activities until a renewal license is issued.~~

d) ~~For all regular licenses which expire at midnight, June 30, 1983, and for which renewal applications are submitted, the following license expiration dates and license fees will apply:~~

- 1) ~~Licenses B-1 through B-500 will expire September 30, 1984. The license fee is \$250.~~
- 2) ~~Licenses B-501 through B-1100 will expire June 30, 1984. The license fee is \$200.~~
- 3) ~~Licenses B-1101 through B-1800 will expire March 31, 1984. The license fee is \$150.~~
- 4) ~~Licenses B-1801 and higher will expire December 31, 1983. The license fee is \$100.~~

ed) Special operator's permits (special permits). A regular license entitles the licensee to obtain up to two special permits each license year. A special permit authorizes the licensee to conduct one session per day for up to seven consecutive days on premises other than those used by the organization for bingo under its regular license. A licensee may conduct bingo at the Illinois State Fair or any county fair held in Illinois during each day that the fair is in effect. Such bingo games therein conducted shall not require a special operator's permit.

The licensee must, however, notify the Department in writing 30 days before the desired starting date of the days the bingo will be conducted and the location.

- 1) To apply for a special permit a licensee must submit a request for the permit, in writing, to the Illinois Department of Revenue, Application Processing Unit, Post Office Box 4005, Office of Bingo and Charitable Games, Post Office Box 19480, Springfield, Illinois 62708 62794. The request must state the proposed date(s), beginning and ending times, and location of the sessions to be played under the special permit. If the person or organization providing the premises

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for bingo under the special permit has a provider's license issued by the Department, the provider's license number must be included in the request, and a copy of any lease or rental agreement must accompany the request.

- 2) Requests for special permits should be received by the Department at least 30 days before the desired starting date for the special permit. The Department will approve or deny such requests no later than one week prior to the desired starting date. Requests received by the Department less than 30 days before the desired starting date will be accepted, and the Department shall make every reasonable effort to approve or deny the request before the desired starting date, but in no case may any licensee conduct special bingo sessions without having in its possession a special permit issued by the Department, or without having been informed by the Department that the request has been approved.

- 3) An organization may not conduct bingo under both its regular license and a special permit on the same day.

- 4) ~~Organizations licensed for the period from July 1, 1983 through September 30, 1984, shall be eligible for an additional special permit during the period from July 1, 1984 through September 30, 1984.~~

fe) A regular license authorizes the licensee to conduct bingo only at the location, on the day, and during the time period stated on the license. If a licensee wishes to change the location, day or time of its bingo, it may do so by requesting, in writing, an amended license. No additional fee will be charged for the first amended license in any one license year. Second and subsequent requests for changes in the location, day or time of bingo will be treated as applications for a new license, and must be accompanied by an application fee of \$200. The Department will not permit a licensee to conduct bingo on any day other than the day stated on the license when the change is requested because a holiday falls on the day stated on the license. Bingo sessions cancelled by the licensee for any reason, including inclement weather, may not be made up at a later date.

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.120 Limited Licenses

- a) Eligibility. Any organization which would be eligible for a regular license but which does not hold one is eligible for a limited license



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to conduct bingo. A limited license authorizes the licensee to conduct bingo at no more than two indoor or outdoor festivals during the calendar year for which the license is issued for a maximum of five consecutive days on each occasion.

- b) Applications. The application for a limited license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$50 in the form of a certified check or money order payable to the Illinois Department of Revenue. Renewal applications must be accompanied by the same information required of organizations applying for renewal of a regular license (see Section 430.110(b)(1)). New applications must be accompanied by the same information required of organizations applying for a new regular license (see Section 430.110(b)(2)).
- c) Substantially complete applications accompanied by all required information must be received by the Department at least 30 days before the desired starting date for the limited license. The Department will approve or deny such applications no later than one week prior to the desired starting date.
- d) Each limited license shall be valid for one year from its date of issuance. A limited license authorizes the licensee to conduct bingo only at the location, on the dates, and during the time period stated on the license.
- e) All provisions of these rules governing the conducting of bingo by regular licensees also apply to limited licensees unless the context clearly requires otherwise.

f) Limited licensees are not required to establish a separate checking account. Gross proceeds can be deposited into an organization's general account. The licensees are required to complete Form RB-32, Expenditure of Funds Earned Through Bingo, detailing the expenditures of all bingo proceeds and provide all financial information requested.

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.130 Suppliers Licenses

- a) Any person, firm, or corporation which sells, leases, or distributes, to any organization licensed to conduct bingo or to any licensed bingo supplier, cards, boards, sheets, markers, pads and any other supplies, devices and equipment designed for use in the play of bingo must obtain a license therefor from the Department.
- b) Applications. Application for a suppliers license must be made on

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the form prescribed by the Department, and must be accompanied by a license fee of \$200 in the form of a certified check or money order payable to the Illinois Department of Revenue. Each suppliers' license is valid for one year from its date of issuance.

- c) Every licensed supplier shall, within 30 days after the end of each calendar quarter, submit to the Department a list of all persons or organizations in Illinois, whether or not such persons or organizations are licensed under the Act, to whom bingo supplies and equipment were sold during the quarter. The list shall include the name and address of the purchaser of bingo supplies, and, if the purchaser is licensed under the Act, the license number. In lieu of such a list, licensed suppliers may submit copies of all invoices of sales of bingo supplies, devices and equipment in Illinois. All suppliers shall inform the Department of the exact location of the storage of all supplies and equipment. Within 30 days after the end of each calendar quarter during which a supplier's license was in effect, the supplier shall file a return with the Department listing all sales and leases of bingo supplies and equipment for such quarter and gross proceeds derived from each such sale or lease. A supplier shall keep books and records for the furnishing of bingo supplies and equipment separate and distinct from any other business the supplier might operate. A supplier shall maintain all such books and records for a period of at least three years and must allow inspection of the books and records by agents or employees of the Department during reasonable business hours (between 9 a.m. and 5 p.m. Monday through Friday).

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.160 Restrictions and Limitations on the Conducting of Bingo

The following restrictions and limitations on the conducting of bingo apply to any bingo session conducted by any licensed organization.

## a) License

- 1) No organization may conduct bingo without having in its possession a valid license issued by the Department. No organization may continue to conduct bingo after the expiration date shown on its license unless the Department has received a substantially complete renewal application and the information required by subsections (b)(1)(A) and (B) of Section 430.110. An organization which violates the restriction in the preceding sentence, but which submits a substantially complete renewal application within 30 days after the expiration of its license, shall be penalized



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as provided in Section 430.190(c)(2). If the Department has received a substantially complete renewal application and accompanying information prior to the expiration of a regular license, but has not issued the renewed license as of the expiration date, the organization may continue to conduct bingo, and the organization's expired license shall continue in effect until the Department notifies the organization of the decision on the renewal application. If the Department approves the renewal application, the date of issuance of the renewed license shall be the date following the expiration date of the expired license. If the Department denies the renewal application, and the organization protests the Department's denial as provided in Section 430.190, the expired license shall continue in effect until the Department issues a final administrative decision on the protest, or until the protest is otherwise resolved.

2) Every organization shall display its license in a prominent place in the area where it is to conduct bingo. A bingo session may be conducted in two or more separate areas on the premises for which the license is issued. In such case the license shall be displayed in the area in which the person calling the numbers is located.

3) No license will be issued for any bingo session beginning less than two hours after the conclusion of a prior session conducted on the same premises. However, this restriction shall not apply to special permits or limited licenses to conduct bingo at the State Fair conducted by the Illinois Department of Agriculture pursuant to Section 5 of the State Fair Act (Ill. Rev. Stat. 1984 1989, ch. 127, par. 1705) or at any county fair as that term is defined in Section 3 of the Agricultural Fair Act (Ill. Rev. Stat. 1984 1989, ch. 85, par. 652).

b) Games. A bingo "game" consists of the calling of numbers from one to seventy-five, one at a time without replacement, until one or more winners are determined by the completion of one or more predetermined patterns of numbers on a bingo card.

1) An organization may not conduct more than 25 games during a bingo session, except organizations holding a special operator's permit or a limited license may, as one of the occasions allowed by such license or permit, conduct bingo for a maximum of 2 consecutive days, during each day of which the number of games may exceed 25. Further, the 25 game restriction shall not apply to bingo conducted at the Illinois State Fair or any county fair held in Illinois. The

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statutory monetary limit on the prizes is always applicable. A maximum of five games may be designated "special games". Special games are distinguished from regular games only by the maximum prize that may be charged for the bingo cards used. The five special games limit shall not apply to Bingo conducted at the Illinois State Fair or any county fair held in Illinois.

2) Regular game cards may be sold for a maximum of one dollar apiece, and each regular card must be valid for all regular games in a bingo session. However, an organization holding a special operator's permit or a limited license may, on one of the occasions allowed by such license or permit, sell regular game cards which need not be valid for all regular games. Special game cards may be sold for a maximum of 50 cents each, and each special card must be valid for all special games in a session. Additional regular and special cards may be sold during a session, but all regular or special games, whenever sold, must be valid for all regular or special games, as the case may be, conducted after the cards are sold. (Example: An organization conducts an "early bird" game for which 50-cent cards are sold, and then sells cards for a dollar for twenty regular games. After the twentieth regular game, the organization conducts a "split-the-pot" game, selling cards for 50 cents, and not permitting the regular game cards to be used. In this case, all cards sold for the "early bird" game must be valid for the "split-the-pot" game.)

3) To be "valid" for a game, a card must be eligible for the same prize as any other card used in that game, except that cards sold for different prizes may be eligible for different prizes, provided that the ratios of the prizes and prizes are equal. (Example: An organization sells regular cards for either one dollar or 50 cents. The prize for a bingo on a one dollar card may be twice as large as the prize for a bingo on a 50 cent card. Note: This restriction does not apply in cases where the difference in the price of cards is due to a volume discount, e.g. one card for a dollar or six cards for five dollars.)

## c) Prizes

1) The aggregate retail value of all prizes or merchandise awarded in any bingo session may not exceed \$2,250, except that in any adjoining counties having 200,000 to 275,000 inhabitants each, and in counties which are adjacent to either of such adjoining counties and are adjacent to a total of not more than 2 counties in this



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State, and in any municipality having 2,500 or more inhabitants and within one mile of such adjoining and adjacent counties having less than 25,000 inhabitants, 2 additional bingo games may be conducted and the value of all prizes awarded may not exceed \$3,250 in a single day. [Currently, Madison, Monroe and St. Clair counties, and the city of Red Bud, qualify for additional games.] The prize awarded for any one game shall not exceed \$500 cash or its equivalent.

- 2) An organization holding a special operator's permit or a limited license may, as one of the two annual occasions allowed by such permit or license, award only noncash prizes for which there is no monetary retail value limit imposed, provided that the retail value of noncash prizes for any single game shall not exceed \$150. There is no minimum prize requirement.

- 23) The aggregate retail value of all merchandise, cash, or bingo cards awarded in any bingo session as door or attendance prizes may not exceed \$500, and shall be considered part of the applicable maximum of \$2,250--limit in prizes or merchandise that may be awarded in any bingo session. In games conducted pursuant to a special operator's permit or a limited license, and awarding only noncash prizes, the prize awarded for any one game may not exceed a retail value of \$150. There is no minimum prize requirement.

## d) Management and Operation of Bingo

- 1) No person except a bona fide member of the licensed organization or a bona fide member of an auxiliary organization (substantially all of whose members are spouses of members of the sponsoring organization) may participate in the management or operation of the bingo session, either as an operator or a worker. Participation in the management or operation of the bingo session includes selling cards, calling numbers, confirming and paying winners, and handling or counting the proceeds from the sale of cards while the session is in progress.

- A) Operators are the persons directly responsible for managing and operating the game, filing returns and paying the tax, and who have signed the application for license or amended statement thereto. In addition, operators must have been bona fide members of the organization, or an auxiliary organization, for at least one year immediately preceding the dates upon which they are designated as operators. However, the presiding officer and secretary of the organization are

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deemed to be operators without regard to the length of their membership in the organization. No bingo session may be conducted unless an operator is present.

- B) Workers are any persons, other than operators, participating in the management and operation of a bingo session. They must have been bona fide members of the organization, or an auxiliary organization, for at least 30 days prior to their participation in the management and operation of the bingo session. Their names must appear on the list of workers, or any amendments thereto, accompanying the organization's application, as provided in Sections 430.110 (b)(1)(B) and (b)(2)(C), and Section 430.120(b).

- 2) No person may receive any remuneration or profit for participating in the management or operation of a bingo session. Meals for bingo workers on the day they participate in the management or operation of a bingo session and an annual banquet or party for bingo workers do not constitute "remuneration or profit", provided that the per capita value of such meals or parties is not so great as to constitute a significant inducement to participate in the management or operation of the organization's bingo sessions.

- 3) No person may participate in the management or operation of the bingo sessions of more than two licensed organizations.

## e) Illegal Gambling and Raffles

- 1) Unlicensed raffles or other forms of gambling prohibited by law shall not be conducted on the premises where bingo is being conducted. Illegal gambling includes, but is not limited to, the sale of pull-tabs and far games, and gambling among those in attendance at the bingo session.

- 2) Bona fide raffles, including the selling of chances and the determining of winners, licensed pursuant to "An Act to provide for licensing and regulating certain games of chance and amending certain Acts herein named" (Ill. Rev. Stat. 1981 1982, ch. 85, par. 2301 et seq.) may be conducted at bingo sessions. (Note that raffle licenses are issued by the governing bodies of counties and municipalities; the Department does not license raffles.) A "bona fide" raffle is defined as one in which, if the raffle is conducted entirely during a bingo session, the gross receipts from the sale of



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chances approximates the retail value of the prizes awarded, and the receipt or purchase of raffle chances or the determination of the raffle winners are in no way conditioned upon participation in the bingo session of any licensed organization, either as a player or as a worker.

- 3) Pull tabs and jar games conducted under the Illinois Pull Tabs and Jar Games Act may be conducted. Prizes awarded in these games shall not be included in the bingo prize limitation.

## f) Miscellaneous Provisions

- 1) The entire net proceeds from bingo must be exclusively devoted to the lawful purposes of the licensed organization.
- 2) All advertising by a licensed organization regarding the conducting of its bingo sessions shall contain the name and bingo license number of the organization. Licensed organizations may not participate in joint advertising with other licensed organizations.
- 3) No admission fee may be charged for entrance onto premises on which bingo is to be conducted, nor may any minimum requirement be imposed as to the purchase of bingo cards.
- 4) No person under the age of 18 years may play or participate in the conducting of bingo. Any person under the age of 18 years may be within the area where bingo is being played only when accompanied by his or her parent or guardian.
- 5) No licensed organization shall purchase or lease any bingo supplies or equipment other than from a person or organization licensed under the Act.
- 6) No licensee under the Act, while a bingo session is being conducted, shall knowingly permit the entry into any part of the premises by any person who has been convicted of a felony or a violation of Article 28 of the "Criminal Code of 1961".

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.180 Records; Audits

- a) Except as provided in subsection (b) below and Section 430.120(f), each licensed organization must establish a separate checking account into which its gross proceeds from bingo (less cash prizes awarded) must be deposited. All expenditures of bingo proceeds

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(other than cash prizes) must be by checks, having consecutive numbers, payable to a specific person or organization. No checks shall be written to "cash". The amount of receipts from bingo, the amount of prizes awarded, and the deposits and expenditures from the bingo checking account shall be reported on a form provided by the Department and submitted annually along with the organization's application for renewal of its bingo license (see Section 430.110(b)(1)(A)).

- b) If a licensed organization is affiliated with and chartered by a national organization, and is prohibited by the national organization from establishing a separate checking account for bingo, the licensed organization may satisfy the requirements of subsection (a) above by submitting, along with the application for renewal of its license, a copy of an audit performed by the national organization of the licensed organization's books and records covering the most recently completed fiscal year of the licensed organization. In addition, the licensed organization shall maintain a separate ledger account for its bingo receipts and expenditures, a full report of which shall be submitted with the renewal application.

- c) Every licensed organization must keep all records, receipts, checks and any documents used in preparing the reports described in subsections (a) and (b) above for a period of three years following the submission of the report. In addition, every licensed organization must have a current membership list. Such records and list shall be available for inspection by representatives of the Department during reasonable business hours.

- d) When the Department has information indicating that any person or organization licensed under the Act has not paid the full amount of tax due, has not provided the Department with accurate information concerning revenues from bingo, or is using proceeds from bingo in an unlawful manner, the Department, by the Director, will require the licensee to obtain from an Illinois certified public accounting firm, at the licensee's own expense, a certified and unqualified financial statement of records of the licensee. The statement must be submitted to the Department within 90 days after notice is received by the licensee.

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.190 Denial, Suspension, or Revocation of Licenses

- a) ~~The Department will deny the application of any organization which does not satisfy all eligibility requirements for the license for which application is made, or which is ineligible for a license under Section 430.150(a).~~



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- b) The Department will suspend the license of any organization which, during the license year, becomes ineligible for any reason. The suspension shall continue until the organization again becomes eligible, or until the license expires.
- c) The Department will suspend or revoke the license of any person or organization violating the Act or these rules, according to the schedule below:

1) For violation of subsections (d)(1) and (2), and (e)(1) and (2) of Section 430.160, for carrying on any activity required to be licensed under the Act while the license is under suspension or for conducting bingo at a time, location, or on a day other than as stated on the license, the following penalties apply:

A) For the first offense during any two-year period the penalty shall be suspension of the license for from four to eight weeks;

B) For the second offense during any two-year period the penalty shall be revocation of the license. (for example: licensee X sells illegal jar game tickets at its bingo session, and its license is suspended for four weeks. During the suspension period X conducts its regularly scheduled bingo session. X's license will be revoked.)

2) For violation of any other provision of the Act or these rules the following penalties apply:

A) For the first offense during any two-year period the penalty shall be an official warning from the Department, or suspension of the license for from one to two weeks;

B) For the second offense during any two-year period the penalty shall be suspension for from three to five weeks;

C) For the third offense during any two-year period the penalty shall be suspension for from six to eight weeks;

D) For the fourth offense during any two-year period the penalty shall be revocation of the license.

3) As used in these rules, "offense" means one or more

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violations by a licensee for which the Department imposes a penalty. When imposing a penalty against the licensee, the Department will consider all violations, including multiple or continuing violations, of which the Department has or should have knowledge at the time the Department mails notification of the penalty to the licensee.

4) In determining the length of a suspension for an offense the Department will consider the number and duration of violations involved, the licensee's history of compliance with the Act and these rules, whether the violations were willful, and any other mitigating or aggravating circumstances relevant to the violations.

d) Notification of Denial, Suspension, or Revocation: Requests for Hearing.

1) The Department will send notice of the denial of an application or the suspension or revocation of a license by certified mail, return receipt requested, to the applicant or licensee at the mailing address stated on the application. The notice will include the reasons for the Department's action and the penalty imposed for the offense.

2) An applicant or licensee may request a hearing to contest the Department's denial, suspension or revocation. The request shall be in writing, and must be received by the Department within 20 days after the date the notice of denial, suspension or revocation was mailed by the Department to the applicant or licensee.

3) The effective date of a suspension will be not less than 25 days after the date the Department mails the notice to the licensee. If the licensee requests a hearing within 20 days as provided in subsection (d)(2) above, the effective date of any suspension is stayed pending the outcome of the hearing, and the licensee may continue to operate under the license. If a license expires during a stay of suspension, the licensee may continue to operate only if a substantially complete renewal application and application fee have been received by the Department prior to the expiration of the license. In cases of revocation, the Department finds that the public interest imperatively requires emergency action, and any revoked license is summarily suspended upon receipt of the notice of revocation by the licensee.

4) If, after a hearing, the Department's action is upheld, the Department may modify the penalty originally imposed, but



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~~only within the range of penalties for the offense as set forth in subsection (c)(1) and (2) above. Any modification of a penalty shall be at the discretion of the hearing officer, based solely on any mitigating or aggravating circumstances relevant to the violations which are presented at the hearing.~~

e) Duration of Revocation and Suspension:

A) ~~A licensee whose license is revoked is ineligible for any license under the Act for one year from the date the license is summarily suspended as provided in subsection (d)(3) above.~~

B) ~~If a license expires during a period of suspension, and the licensee submits the appropriate application and fee for renewal of the license prior to its expiration, the suspension will apply to the renewed license as though the suspended license had not expired. If the licensee does not submit a renewal application prior to the expiration of the suspended license, the licensee is ineligible for any license under the Act until the suspension would have ended had the license been renewed.~~

C) ~~When a suspension becomes effective the licensee shall surrender the license, on request, to the Department's Investigative Services Bureau. The license will be returned when the period of suspension expires.~~

a) The Department shall deny the application of any person or organization which does not satisfy all eligibility requirements for the license for which application is made, or which is ineligible for a license under Section 430.150(a).

b) The Department shall suspend the license of any person or organization which, while its license is in effect, becomes ineligible for any reason. The suspension shall remain in force until the person or organization regains eligibility.

c) The Department shall issue a warning to suspend or revoke the license of any person or organization violating the Act or this Part.

1) Suspensions, revocations and warnings imposed under this subsection shall range in duration from one day to one year. The choice and duration of sanctions shall be made on a case by case basis, and shall be based on the licensee's history of compliance; the number, seriousness, and duration of violations; the cooperation extended to the Department by

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licensees in discontinuing and correcting violations; and the sanctions imposed on others by the Department under similar circumstances.

2) The effective date of a suspension shall be not less than 25 days after the date the Department mails the notice to the licensee. If the licensee requests a hearing within 20 days as provided in subsection (d)(2) below, the effective date of any suspension is stayed pending the outcome of the hearing, and the licensee may continue to operate under the license. If a license expires during a stay of suspension, the licensee may continue to operate only if a substantially complete renewal application and application fee have been received by the Department prior to the expiration of the license.

d) Notification of denial, warning, suspension, or revocation; requests for hearing:

1) The Department shall send notices of denial, warning, suspension, or revocation by certified mail, return receipt requested, to the applicant or licensee at the mailing address stated on the applicant's or licensee's most recent license application. All such notices will include a statement of the reasons for the Department's action.

2) An applicant or licensee may request a hearing to contest the Department's action pursuant to 86 Ill. Adm. Code 200. The request shall be in writing, and must be received by the Department within 20 days after the date the Department mailed the notice of its action to the applicant or licensee.

e) Any person who violates the Act, or any person who files a fraudulent return under the Act, or any person who willfully violates this Part, or any officer or agent of a corporation licensed under the Act who signs a fraudulent return filed on behalf of such corporation is guilty of a Class A Misdemeanor.

(Source: Amended at 15 Ill. Reg. 10944, effective July 10, 1991)

## Section 430.200 Civil Penalties

a) Any organization which conducts bingo without a license, or any organization licensed to conduct bingo which allows any form of illegal gambling to be conducted on the premises where bingo is being conducted, shall be assessed by the Department subject to a civil penalty equal to the amount of gross proceeds derived on that day from bingo and any other illegal game that may have been conducted. The Department shall determine the amount of gross proceeds based on information



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available to the Department and its judgment of all the facts of each particular case and assess a penalty. The amount of the penalty shall be on a case-by-case basis, and will be based on the licensee's history of compliance; the number, seriousness, and duration of violations; the cooperation extended to the Department by licensees in discontinuing and correcting violations; and the sanctions imposed on others by the Department under similar circumstances.

b) *Any person or organization, except a municipality exempt from licensing under Section 430.140, which provides premises for conducting bingo without having a license to do so, or any person or organization licensed to provide premises which allows an unlicensed organization to conduct bingo on his premises, or allows any form of illegal gambling to be conducted on the premises where bingo is being played shall be assessed by the Department subject to a civil penalty of \$5,000.*

c) In any case where an organization conducts bingo without a license, or where a licensed organization conducts bingo on a day, or at a time or place for which it is not licensed, the Department ~~will~~ has the authority to confiscate all bingo equipment used in the conduct of those unlicensed games.

d) Notice of assessment of a civil penalty shall be sent by certified mail, return receipt requested. The person or organization against whom a civil penalty has been assessed shall remit, by certified check or money order payable to the Illinois Department of Revenue, the full amount of the penalty within 30 days from the date the notice was mailed unless, within the 30 days, the Department receives a request for a hearing, in which case the imposition of the civil penalty is stayed pending the outcome of the hearing.

e) When bingo equipment is confiscated under subsection (c) above, the person or organization who was entitled to possession of the equipment at the time of confiscation may, within 30 days of the date of confiscation, request, in writing, a hearing. The sole issue at such hearing shall be whether bingo was conducted without a license, or on a day, or at a time or place for which the organization was not properly licensed.

(Source: Amended at <sup>15</sup> Ill. Reg. 10944, effective July 10, 1991)

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- 1) Heading of the Part: Charitable Games Act
- 2) Code Citation: 86 Ill. Adm. Code 435
- 3) Section Numbers:

|         |           |
|---------|-----------|
| 435.100 | Amendment |
| 435.110 | Amendment |
| 435.120 | Amendment |
| 435.130 | Amendment |
| 435.140 | Amendment |
| 435.160 | Amendment |
| 435.170 | Amendment |
| 435.180 | Amendment |
| 435.190 | Amendment |
| 435.200 | Amendment |
| 435.210 | Amendment |
| 435.220 | Amendment |
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 120, pars. 1121 et seq.
- 5) Effective Date of Amendments: July 10, 1991
- 6) Does this rulemaking contain an automatic repeal date: No
- 7) Does this amendment contain incorporations by reference: No
- 8) Date Filed in Agency's Principal Office: July 10, 1991
- 9) Notice(s) of Proposal Published in Illinois Register:  
February 8, 1991, 15 Ill. Reg. 1748
- 10) Has ICAR issued a Statement of Objections to these rules: No
- 11) Difference(s) between proposal and final version: No differences between proposed and final version.
- 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:



ILLINOIS REGISTER  
DEPARTMENT OF REVENUE  
NOTICE OF ADOPTED AMENDMENTS

This rulemaking implements statutory amendments.

16) Information and questions regarding this adopted amendment shall be directed to:

R. Dale Yung  
Administrator  
Legal Services Bureau  
101 West Jefferson Street  
Springfield, Illinois 61794  
Phone: (217) 782-6336

The full text of the Adopted Amendments begins on the next page:

TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUE

PART 435  
CHARITABLE GAMES ACT

|         |  |
|---------|--|
| Section | Introduction   |
| 435.100 | Definitions  |
| 435.110 | Charitable Games Licenses  |
| 435.120 | Supplier's Licenses  |
| 435.130 | Provider's Licenses  |
| 435.140 | Ineligibility for License  |
| 435.150 | Operation of Charitable Games Events                               |
| 435.160 | Restrictions and Limitations on the Conducting of Charitable Games |
| 435.170 | Imposition of Tax, Returns   |
| 435.180 | Records: Audits  |
| 435.190 | Denial, Suspension, or Revocation of Licenses                      |
| 435.200 | Criminal and Civil Penalties                                       |
| 435.210 | State-Local Relations  |
| 435.220 |  |

AUTHORITY: Implementing and authorized by the Charitable Games Act (Ill. Rev. Stat. 1989, ch. 120, pars. 1121 et seq.).

SOURCE: Emergency Rule adopted at 10 Ill. Reg. 15687, effective September 15, 1986, for a maximum of 150 days; adopted at 11 Ill. Reg. 3722, effective February 10, 1987; peremptory amendments at 11 Ill. Reg. 10702, effective May 26, 1987; amended at 15 Ill. Reg. 10966 effective July 10, 1991.

Section 435.100 Introduction

This Part implements the Charitable Games Act (Ill. Rev. Stat. 1989, par. 1121, et seq.) (hereafter referred to as "the Act" which was adopted by the General Assembly to allow not-for-profit charitable, fraternal, labor, educational, and religious organizations to raise funds by conducting casino-type gaming events. Two other forms of charitable gaming, bingo, and raffles, pull tabs and jar games are also legal for play by non-profit licensees have been legally-licensed to be conducted by non-profit groups for several years. For persons familiar with the rules governing those two activities, some of the following charitable games rules are more restrictive than the bingo and raffle rules. The reason is that the charitable games events authorized by the Act are, to a much greater extent than bingo, subject to the abuses often associated with gambling. In turn, these abuses are more likely to occur because the amounts of money involved are potentially much greater, and the bigger the pot, the greater the danger of involvement by criminal elements. In bingo, the statutory prize limit effectively puts a ceiling on the amount of money involved at any single bingo session. At charitable games events, if cash



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prizes are used, there is a limit on winnings of \$250 per person, but no limit on the total amount of cash prizes. Similarly, there is no limit on the value of merchandise given as prizes at charitable games events. The General Assembly recognized the increased potential for violations at charitable games events, and the Act is consequently more restrictive in many ways than the Bingo License and Tax Act (Ill. Rev. Stat. 1985 1989, ch. 120, par. 1101 et seq.). A few examples: eligibility for charitable games licenses is more limited; the number of events allowed is much smaller; licensees must notify local law enforcement authorities of their charitable games events; the Illinois Department of Revenue (Department) may summarily suspend charitable games licenses before hearings are held; record-keeping requirements are more detailed; and the criminal penalties for violation of the Act are much more severe (a second violation of the Act constitutes a felony). The rules that follow reflect the statutory mandate. Organizations applying for licenses must understand that their failure to comply fully with this Part and to cooperate with the Department's investigative efforts will inevitably mean that long-planned charitable games events will have to be postponed, or even cancelled. At the same time, it is the Department's policy to do everything possible to assist qualified organizations in obtaining licenses and afford these organizations every opportunity to hold a successful fundraiser. Applicants and licensees should not hesitate to contact the Office of Bingo and Charitable Games Division of the Department at 101 W. Jefferson Street, P. O. Box 19480, Springfield, Illinois 62708 62794, 217/782-8746, with any questions, problems, or comments that may arise. Finally, the Act and this Part are designed to regulate who may be licensed, where and when charitable games events may be played, and what records must be kept of the funds raised. Except for a few specific provisions in the Act and rules, however, the General Assembly has determined that it is up to each licensee to determine how the casino-type gaming will be played at its own charitable games event. Licensees who suspect that they are being defrauded by players or workers, or that money is being stolen, should immediately contact the Department's Investigative Service-Bureau-at-312/771-1200 Bureau of Criminal Enforcement at 708/771-1200.

Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991

## Section 435.110 Definitions

As used in this Part, the terms listed below are defined as follows:

"Act": The Charitable Games Act (Ill. Rev. Stat. 1989, par. 1121 et seq.);

"Cash": means coin, currency, checks, marketable securities, or any other similar item that can be readily redeemed or converted into legal tender;

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"Charitable games": The fourteen games of chance involving cards, dice, wheels, random selection of numbers, and gambling tickets enumerated in Section 435.160 which may be conducted at charitable games events;

"Charitable games equipment": Any supplies, devices, equipment, products or materials designed for use or used in the playing of charitable games, including, but not limited to, cards, dice, pull tabs and any related type of gambling ticket, chips, representations of money, and wheels;

"Charitable games event" or "event": The type of fundraising event authorized by the Act at which participants pay to play charitable games for the chance of winning cash or noncash prizes, and which may be conducted only on the date stated on a license issued by the Department, and only between the hours of noon and midnight on that date. A charitable games event is a one-day event; each licensee may be licensed to conduct as many as four one-day events in a license year.

"Charitable games provider": An individual or entity holding a license to provide premises for a charitable game.

"Charitable games supplier": An individual or entity holding a license to supply licensed organizations with charitable games equipment.

"Chips": Scrip, play money, poker or casino chips, or any other representations of money, used as the only means of making wagers on the outcome of any charitable game;

"Complete application": An application that contains all information necessary for the Department to determine the applicant's eligibility under the Act and this Part.

"Department": The Illinois Department of Revenue, Office of Bingo and Charitable Games Division, 101 W. Jefferson P. O. Box 19480, Springfield, Illinois 62708 62794;

"License Year": The year beginning on the date a license is issued under the Act, which date is stated on the license;

"Licensee": An organization holding a license to conduct charitable games events;

"Organization": a corporation, agency, partnership, institution, association, firm or other entity consisting of two or more persons joined by a common interest or purpose (Section 2 of the Act);



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"Received by the Department" or similar phrases: Whenever this Part requires that any writing or any payment must be received within a specified number of days or by a specified date, the provisions of Section 1.25 of "AN ACT to revise the law in relation to the construction of the statutes" (Ill. Rev. Stat. 1985 1989, ch. 1, par. 1026) shall apply.

Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991

## Section 435.120 Charitable Games Licenses

- a) Eligibility. To be eligible for a charitable games license, an applying organization must have been organized in Illinois and must satisfy each of the following conditions of eligibility:

1) The organization must be a charitable, religious, fraternal, veterans, labor, or educational organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and which is exempt from federal income taxation under Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10), or 501(c)(19) of the Internal Revenue Code (Section 2 of the Act) or a veterans' organization as defined in the Bingo License and Tax Act (Ill. Rev. Stat. 1989, ch. 120, par. 1101).

A) For an organization to be considered charitable for purposes of obtaining a charitable games license, its activities must benefit an indefinite number of persons; it must have no capital, capital stock, or share-holders; its funds must be derived mainly from private and public charity and be held in trust for the objects and purposes expressed in its charter; it must dispense charity to all who need and apply for it; and it must place no obstacles in the way of those seeking the benefits.

B) For an organization to be considered educational for purposes of obtaining a charitable games license, it must be organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools.

C) For an organization to be considered religious for purposes of obtaining a charitable games license, it must be a church, congregation, society, or

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organization founded for the purpose of religious worship.

D) For an organization to be considered fraternal for purposes of obtaining a charitable games license, it must be a civic, service or charitable organization, not for pecuniary profit, which is a branch, lodge or chapter of a national or State organization and exists for the common business, brotherhood, or other interest of its members. This does not include a college or high school fraternity or sorority.

E) For an organization to be considered labor for purposes of obtaining a charitable games license, it must be composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations.

F) For an organization to be considered a veterans' organization for purposes of obtaining a charitable games license, it must be comprised of members of which substantially all are individuals who are veterans or spouses, widows or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit.

2) The organization must have had a bona fide membership engaged in carrying out its objects for at least the entire five-year period immediately preceding application (Section 3 of the Act). However, this five-year requirement shall not apply with regard to the following two types of organizations:

A) An organization which has had a bona fide membership engaged in carrying out its objectives for at least the entire two-year period immediately preceding application, and which is affiliated with and chartered by a national organization which meets the five-year requirement (Section 3 of the Act).

B) A charitable organization created by a fraternal organization which meets the five-year requirement, and which has the same officers and directors as the fraternal organization. "Fraternal Organization" means a civic, service or charitable organization in Illinois, except a



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*college or high school fraternity or sorority, not for pecuniary profit, which is a branch, lodge or chapter of a national or Illinois organization and exists for the common business, brotherhood, or other interest of its members (Section 3 of the Act).*

3) *Auxiliary organizations of a licensee shall not be eligible for a license to conduct charitable games (Section 4 of the Act). An "auxiliary organization" is one which exists to assist or support an affiliated organization.*

b) Applications. Application for a charitable games license must be made on the forms prescribed by the Department, and must be accompanied by a license fee of \$200 in the form of a certified check or money order payable to the Illinois Department of Revenue. The Department will not consider applications which are not complete, which are not accompanied by the information described below, or which are received less than 30 days before a charitable games event scheduled by the applicant. *Any willful misstatements contained in an application constitute perjury (Section 4 of the Act). An organization applying for a charitable games license must submit the following information in addition to the completed application form:*

1) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation must include, when applicable, a copy of the organization's by-laws, constitution, charter, minutes of past meetings, promotional materials, and Articles of Incorporation;

2) A copy of the letter or any other document issued to the organization by the Internal Revenue Service showing that the organization is currently exempt from federal income taxation under Section 501(c)(3), 501(c)(4), 501(c)(5), 501(c)(8), 501(c)(10) or 501(c)(19) of the Internal Revenue Code;

3) A copy of the letter or any other document issued to the organization by the Attorney General of Illinois showing that the organization has registered, or is exempt from registration, under "AN ACT to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor" (Ill. Rev. Stat. 1985 1989, ch. 23, par. 5101 et seq.);

4) Information, on the form for that purpose, supplied by the Department or on additional sheets attached to the form, concerning all of the members, volunteers, and employees of

the organization who will participate in the management or operation of the charitable games events to be conducted under the license. If, from the information provided, the Department cannot determine with reasonable certainty that a member, volunteer, or employee does not have a criminal record which would make the organization ineligible for a license under Section 435.150, the Department will require such member, volunteer or employee to submit to fingerprinting in order to make a more certain determination as to the lack of a criminal history of the member, volunteer, or employee. Information concerning additional members, volunteers, and employees may be submitted at any time; however, such members, volunteers, and employees may not participate in the management or operation of any charitable games event unless the information required above is received by the Department at least 14 days before the event.

5) If the organization will be using charitable games equipment which it owns, it must include with its application for a charitable games license an application for a charitable games equipment ownership permit. The application for such permit must be on the form prescribed by the Department, and must be accompanied by an application fee of \$50 in the form of a certified check or money order payable to the Illinois Department of Revenue. On the permit application, the organization must list all charitable games equipment it owns and certify that all such equipment has the name of the supplier or organization permanently affixed thereto in a clearly visible location. Such permits shall be valid indefinitely provided that each time the organization renews its charitable games license it provides the Department with an inventory of all charitable games equipment it owns. An organization holding a charitable games equipment ownership permit may lend such equipment without compensation to other licensed organizations without applying for a supplier's license (Section 6 of the Act);

6) A diagram of the area(s) where the charitable games are to be played, showing the approximate location of each game, the location at which chips will be sold and redeemed (the bank), and the location of all doorways entering into the area(s);

7) If the organization will not be conducting its charitable games events(s) on premises which it owns, or at which it has its principal office or conducts activities for which it is organized, the organization must submit with its application



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a copy of a written, signed lease with the person or organization holding the license to provide the premises on which the charitable games event(s) will be conducted. No charitable games license will be issued for any date(s) not expressly stated in such lease;

- 8) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a charitable games license;
- 9) A report on a form provided by the Department accounting for the disposition of the gross charitable games proceeds for the organization's most recent license year.

c) *Licenses. A licensee may hold only one charitable games license and that license is valid for only one location in counties with 60,000 or more inhabitants and up to 2 locations in counties with fewer than 60,000 inhabitants (Section 3 of the Act): A charitable games license will be issued for from one to four dates during a license year. These dates may be consecutive, or separate, or some combination thereof. Although applicants are not required to list four dates on the application, charitable games licenses which are issued for fewer than four dates may not only be amended during the license year to add additional dates with thirty days notice prior to an event, and the payment of a \$50 application fee. No amendment will be allowed to change dates of an event previously submitted. Similarly, once a license is issued for a specified location and date (or dates), the location and date (or dates) may not be amended during the license year, except that if, for reasons beyond the control of the licensee, it becomes impossible to conduct an event on a day for which the license is issued, the event may be rescheduled for another date during the license year. Note that this means that any organization wishing to conduct more than one charitable games event in a twelve month period must state the dates for all such events on its application. No charitable games license will be issued for any date less than 30 days after the day the Department receives the application. No license will be issued unless and until the applicant has provided all information required by the Act and this Part to the Department.*

d) Upon receipt of a charitable games license the licensee shall file a copy of the license with the police department or, if in an unincorporated area, the sheriff's office whose jurisdiction includes the premises on which the charitable games events are authorized under the license (Section 4 of the Act).

e) ~~No license for the conducting of charitable games shall be issued or effective after September 1, 1990 (Section 8 of the Act);~~

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- f) The Department will not issue a charitable games license for an event to be held in a municipality, if the municipality or county has adopted an ordinance prohibiting such events, and has filed a copy of the ordinance with the Department.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.130 Supplier's Licenses

a) Any person, firm, or corporation which sells, leases, lends, distributes, or otherwise provides to any organization licensed to conduct charitable games events in Illinois any charitable games equipment, must obtain a license to do so from the Department except as provided in Section 435.120(b)(5).

b) Application for a supplier's license must be made on the form provided by the Department, and must be accompanied by a license fee of \$500 in the form of a certified check or money order payable to the Illinois Department of Revenue. Corporate applicants shall submit a copy of their Certificate and Articles of Incorporation. A supplier's license is valid for one year from its date of issuance. If, from the information provided, the Department cannot determine with reasonable certainty that a person whose name appears on the application in a capacity described in Section 435.150(a)(5) or (6) does not have a criminal record which would make the applicant ineligible for the license, the Department will require such person to submit to fingerprinting in order to make a more certain determination as to the lack of a criminal history of such person.

1) Along with the application form the applicant must submit a list of all charitable games equipment offered for sale, lease or distribution to any charitable games licensee, and the sales and/or rental price for all such equipment. *All charitable games equipment shall be kept segregated and separate from any other products, materials or equipment that the supplier might own, sell or lease (Section 6 of the Act), and the supplier shall inform the Department of the exact location of the storage of all charitable games equipment in the supplier's possession.*

2) No supplier shall sell, lease or distribute to any charitable games licensee any item of charitable games equipment not included on the list or any amendments thereto described in subsection (b)(1) above, nor shall any supplier sell, lease or distribute to any charitable games licensee any item of charitable games equipment at a price other than the price on file with the Department.



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- 3) No supplier shall sell, lease, lend or distribute any item of charitable games equipment to any organization or entity not holding a license to conduct charitable games.

c) Within 20 days after the end of any calendar quarter during which a supplier's license is in effect, the supplier shall file a return with the Department listing all sales and leases of charitable games equipment for such quarter and the gross proceeds derived from each such sale or lease. A supplier shall keep books and records for the furnishing of charitable games equipment separate and distinct from any other business the supplier might operate (Section 6 of the Act). A supplier shall maintain all such books and records for a period of at least three years and must allow inspection of the books and records by agents or employees of the Department during reasonable business hours.

d) The following general provisions apply to all licensed suppliers:

- 1) A supplier shall not alter or modify any charitable games equipment, or possess any charitable games equipment so altered or modified, so as to allow the possessor or operator of the equipment to obtain a greater chance of winning a game other than as under normal rules of play of such games (Section 6 of the Act). Any charitable games equipment so altered or modified shall be confiscated by the Department;

- 2) A supplier shall permit Department employees to enter the supplier's premises to inspect and test all charitable games equipment (Section 6 of the Act);

- 3) A supplier shall permanently affix his name to all charitable games equipment he sells, leases or rents (Section 6 of the Act). The name shall be plainly visible to the public while any item of charitable games equipment is being used for the purpose for which it was intended at a charitable games event. The supplier's name shall be affixed to any box or other package containing unopened pull tab or break open tickets, and to any promotional cards, or "flares".

- 4) A supplier shall not receive a percentage of the proceeds or admission fees from any charitable games event (Section 6 of the Act);

- 5) No employee or owner of a supplier may participate in the management or operation of any charitable games event (Section 6 of the Act), whether for compensation or not, or whether the employee is also a member, volunteer, or employee of

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the charitable games licensee. The supplier may provide training classes and consulting services prior to the events, and it may have one representative present at the event to ensure its equipment is not damaged;

- 6) A supplier shall not have any interest, direct or indirect, in the business of any person, firm, or corporation licensed under the Act to provide premises for the conduct of charitable games (Section 6 of the Act).

e) A supplier shall permanently affix his name to all charitable games equipment, supplies and pull tabs he sells, leases or rents. The name shall be plainly visible to the public while any item of charitable games equipment is being used for the purpose for which it was intended at a charitable games event. The supplier's name shall be affixed to any box or other package containing unopened pull tab or break open tickets, and to any promotional cards, or "flares" (Section 6 of the Act). The supplier must maintain uniform colors for chip denominations as established by the Department.

f) Suppliers may not enter into agreements not to compete in certain geographic areas with other suppliers.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.140 Provider's Licenses

- a) Except as provided in subsection (c) below, the person or organization owning, leasing, or controlling premises upon which any charitable games event is to be conducted must first obtain a license to provide the premises for the charitable games event. As used in this Section "premises" means a distinct parcel of land and the buildings thereon.

- b) Application for a provider's license must be made on the form provided by the Department, and must be accompanied by a license fee of \$50 in the form of a certified check or money order payable to the Illinois Department of Revenue. If, from the information provided on the application, the Department cannot determine with reasonable certainty that a person whose name appears on the application in a capacity described in Section 435.150(a)(5) or (6) does not have a criminal record which would make the applicant ineligible for the license, the Department will require such person to submit to fingerprinting in order to make a more certain determination as to the lack of a criminal history of such person. If the owner of the premises is a trust, the owner must disclose the names of all trust beneficiaries. Each provider's license is valid for one year from its date of issuance. During that



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year, no more than four charitable games events may be conducted on the licensed premises, except that, in a county with fewer than 60,000 inhabitants, a provider may rent or provide such premises for up to eight days in a 12-month period upon a showing that there is no other location suitable for the conduct of charitable games within 5 miles of such premises. (Section 4 of the Act.)

- c) If an organization has a license to conduct a charitable games event on premises which it owns, or at which it has its principal office or conducts activities for which it was organized, no provider's license is necessary.
- d) A provider may receive reasonable compensation for the provision of the premises. The compensation shall not be based upon a percentage of the gross proceeds from the charitable games (Section 5 of the Act). Any arms-length agreement as to rent between a provider and a charitable games licensee shall be presumed to be reasonable, provided that both parties are in full compliance with all provisions of this Section.

- e) A provider shall not have any interest in any supplier's business, either direct or indirect. No employee or owner of a provider may participate in the management or operation of a charitable games event (Section 5 of the Act), whether for compensation or not, or whether the employee is also a member, volunteer or employee of the charitable games licensee. The provider's books and records relating to the provision of premises for charitable games events shall be maintained for a period of three years after the expiration of any license issued pursuant to this Section, and shall be available for inspection by agents or employees of the Department during reasonable business hours.

- f) A provider may not promote or solicit a charitable games event on behalf of a charitable games licensee.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.160 Operation of Charitable Games Events

- a) Only the following games may be conducted at a charitable games event: roulette, blackjack, poker, pull tabs, craps, bang, beat the dealer, big six, gin rummy, five card stud poker, chuck-a-luck, keno, hold-em poker, and merchandise wheel. A licensee need not conduct every game permitted. The licensee shall promulgate rules, and make printed copies available to participants, for the games conducted at the charitable games event (Section 8 of the Act). However, the games, as played at a charitable games event, must be recognizable from the following general descriptions of these games: Craps, bang, beat the dealer,

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and chuck-a-luck are dice games. "Craps" involves players rolling a pair of dice in an effort to throw certain combinations of numbers paying various odds. Several rolls may be necessary to determine whether a player has won or lost. "Bang" is similar to craps but with fewer relevant combinations, and a decision is reached on each roll of the dice. In "beat the dealer" the player attempts to throw a higher total on two dice than the dealer. "Chuck-a-luck" uses three dice with players wagering on whether particular spots will appear on one or more of the dice. Roulette, big six, and merchandise wheel are wheel games. "Roulette" uses a wheel, usually separated into 38 numbered compartments into which a ball drops at random, and wagers are made regarding several variables in the outcome of a spin of the wheel. "Big six" uses a sectioned wheel on which are pictured various combinations of three dice, and wagers are made on whether particular spots will appear in the combination that is chosen at random by spinning the wheel. "Merchandise wheels" have numbers, symbols or colors used to designate the winning wager and, where applicable, the type of merchandise to be awarded. Blackjack, gin rummy, poker, hold-em poker, and five card stud poker are card games, and must be played substantially according to the description of such games found in *Hoyle's Modern Encyclopedia of Card Games*, by Walter B. Gibson, published by Doubleday and Company, Inc., April 1974, 1st Edition. Keno is a lotto-type game, similar to bingo, in which a player, to win, must select numbers on a card which correspond to numbers drawn at random from a container. A pull tab, or similar type of gambling ticket, is a single-folded or banded ticket, or is a card, the face of which is initially covered or otherwise hidden from view to conceal a number, symbol, or set of symbols, some of which are winners. Players receive from the licensee the prize for a winning ticket which is stated on the promotional display, or "flare". No cards, dice, wheels or other charitable games equipment may be modified or altered so as to give the licensee a greater advantage in winning, other than as provided under the normal rules of play of a particular game (Section 8 of the Act). Any charitable games equipment so altered or modified shall be confiscated by the Department.

- b) Only chips, scrip, or play money (collectively referred to as "chips") may be used to play any of the games listed in subsection (a) above. Cash may never be used to wager on any of the games conducted at any charitable games event. All chips must be monogrammed with the a Department-registered logo of the licensee or of the supplier (Section 8 of the Act). Licensees may, at their discretion, accept checks as payment for chips. However, such checks must be endorsed by the licensee so as to show that they were deposited into the licensee's charitable games checking account established under Section 435.190.



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1) Chips must be sold and redeemed at a single, stationary, location on the premises where the charitable games event is conducted. This area shall be known as the "bank". The bank must be staffed entirely by members or employees of the licensee, who will be required to account for all transactions. No "floor sellers" or "runners" are allowed. For each participant, the licensee shall keep a complete and accurate record of the name and address of the participant, the cash value of each purchase of chips by the participant, and, if chips are redeemable for cash, the cash value of all chips redeemed by the participant. After each separate purchase of chips, the licensee shall issue to the purchaser a separate receipt identified by a unique pre-printed number. The number of the receipt, and the amount of the purchase must be entered on the record maintained for that purchaser.

A) All receipts for the purchase of chips must be pre-printed with consecutive numbers, beginning with the number one. Any receipts not issued, and any voided receipts, must be retained as part of the licensee's records. (Example: Seller A is selling chips and issuing receipts numbered 1-150. Seller B is also selling chips and issuing receipts numbered 151-300. At the end of the night, seller A has only issued receipts through number 135. Blank receipts 136-150 must be retained by the licensee.

B) The entire amount of any admission fee shall be considered to be a purchase of chips even if no chips are given in return for payment of the fee, and must be entered on the record of each participant. For this purchase of chips only, the licensee need not issue a receipt to the purchaser.

2) If the value of all chips redeemed by a participant for cash exceeds the value of all chips purchased by the participant, the participant must give a signed receipt for the cash won. The participant's signature on the record kept by the licensee shall be a sufficient receipt. No licensee may pay any participant in excess of \$250 more than the total cash value of the chips purchased by that participant. No participant may win more than \$250 in cash at any charitable games event.

3) When a participant exchanges chips for any noncash prize, the participant shall sign for the receipt of such prize. The

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receipt shall describe the noncash prize and state the retail value of the prize.

4) All receipts required by this subsection (b) shall include the date and the licensee's name and charitable games license number.

c) The licensee shall designate a person in charge of and primarily responsible for the conduct of the charitable games event, and that person must be present on the premises continuously during the charitable games event (Section 4 of the Act). The person in charge must verify that only eligible members, whose names appear on the workers list, participate in the operation of the event. The person in charge must have been a member of the licensee for at least one year prior to the charitable games event, and shall be familiar with the provisions of the Act and this Part.

d) Each licensee shall, no less than one week prior to an event, obtain and maintain a bond for the benefit of participants in the charitable games event to insure payment to the winners of such games (Section 4 of the Act). If cash prizes are offered, the amount of the bond shall be \$50 times the number of participants that the licensee reasonably estimates will attend the charitable games event, based on past attendance at similar events and any other indications of attendance available to the licensee. If only noncash prizes are offered, the amount of the bond shall be the amount the licensee will have to pay to purchase all of the noncash prizes which, at any time prior to the event, had been advertised as being available to be won at the event, except that the licensee need not obtain a bond to cover the purchase price of any advertised noncash prizes which are in the actual or constructive possession of the licensee no less than one week prior to the event. In a county with fewer than 60,000 inhabitants, the Department may waive the bond requirement upon a showing by a licensee that it has sufficient funds on deposit to insure payment to the winners of such games.

e) The licensee must post its charitable games license in a prominent place at or near the location where chips are sold and redeemed, and in a manner such that the license may be easily seen by participants.

f) Charitable games events must be conducted in accordance with local building and fire code requirements (Section 4 of the Act).

g) The licensee must allow Department employees to be present on the premises during, and for two hours before and after the charitable games event to inspect or test equipment, devices and



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supplies used in the conduct of the event, and to examine the records maintained by the licensee pursuant to Section 435.190.

- h) *The entire net proceeds from charitable games must be exclusively devoted to the lawful purposes of the organization permitted to conduct that game (Section 8 of the Act).*

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

### Section 435.170 Restrictions and Limitations on the Conducting of Charitable Games

- a) *No license issued under the Act is assignable or transferrable (Section 4 of the Act).*

- b) *No person, except a bona fide member, volunteer, or employee of the licensee may participate in the management or operation of a charitable games event (Section 8 of the Act). A person participates in the management or operation of a charitable games event when he or she sells admission tickets at the event; sells or redeems or in any way assists in the selling or redeeming of chips; participates in the conducting of any of the games played at the event; acts as a supervisor of persons conducting the games; or at any time, counts or handles or supervises anyone counting or handling any of the proceeds or chips at the event. Setting up, cleaning up, selling food and drink, and providing security either for persons and property at the event or to ensure the integrity of the games being conducted, do not constitute, in and of themselves, participation in the management or operation of a charitable games event.*

- 1) *No person may receive any remuneration or compensation for participating in the management or operation of a charitable games event (Section 8 of the Act).*

- A) *Employees of a licensee may participate in the management or operation of an event on a volunteer basis only. They may not be required to participate as a condition of employment, nor may they receive any compensation for such participation.*

- B) *Food and drink having a retail value less than ten dollars which is provided to workers shall not be considered to be "remuneration or compensation."*

- 2) *No person may participate in the management or operation of a charitable games event and, at the same event, also place any wager, either personally or by proxy, on any charitable game conducted at the event.*

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- 3) *All persons participating in the management or operation of a charitable games event shall wear name tags, plainly visible, on which are printed the first and last names of the wearer in letters at least one-half inch in height.*

- 4) *No person may participate in the management or operation of charitable games events for more than three different charitable games licensees in any calendar year.*

- 5) *No person participating in the management or operation of a charitable games event may solicit or accept any tip, gratuity, gift, or other consideration from any participant or from any licensee under the Act. The charitable games licensee shall post at least one sign prohibiting tipping in a conspicuous place on the premises where the charitable games event is being conducted.*

- c) *The amount wagered by any participant on the outcome of any roll of dice, selection of a set of numbers at random, or spin of a wheel shall not exceed five ten dollar's worth of chips. The amount wagered by any participant on any round of betting during a card game shall not exceed five ten dollar's worth of chips. The licensee shall not extend credit to any participant in the charitable games event at any time for any reason.*

### d) Illegal Gambling and Raffles:

- 1) *Unlicensed raffles or other forms of gambling prohibited by law shall not be conducted on the premises where a charitable games event is being conducted. A raffle is "licensed" only when a document is issued to the charitable games licensee by a city or county pursuant to an ordinance providing for the licensing of raffles.*

- 2) *No slot machines, including coin-in-the-slot-operated devices which allow a participant to play games of chance based upon cards or dice, shall be permitted to be used on the premises and during the time at which a charitable games event is being conducted (Section 8 of the Act).*

### e) Miscellaneous Provisions:

- 1) *No person under the age of 18 years may play or participate in the conducting of a charitable games event. Any person under the age of 18 may be within the area where charitable games are being played only when accompanied by his or her parent or guardian (Section 8 of the Act). A licensee may, at its discretion,*



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prohibit persons under the age of 18 from being within the area where charitable games are being played.

- 2) No licensee shall knowingly permit the entry into any part of the premises where a charitable games event is being conducted by any person who has been convicted of a violation of Article 28 (Gambling) of the Criminal Code of 1961.
- 3) No licensee shall purchase or lease any charitable games equipment other than from a person or organization licensed to supply charitable games equipment under the Act.
- 4) Any advertising by a licensee regarding the conducting of its charitable games events shall contain the name and charitable games license number of the licensee. No person or organization may advertise any charitable games event unless the person or organization has a license to conduct such event.
- 5) Charitable games may be conducted only between the hours of noon and midnight on the day for which a charitable games license is issued.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.180 Imposition of Tax, Returns

- a) *There shall be paid to the Department 3% of the gross proceeds of any charitable games event conducted in the State (Section 9 of the Act). "Gross Proceeds" means all money received from the sale of chips, and the entire fee or donation charged for admission or entry into a charitable games event. The entire amount of an entry fee or donation is considered to be "gross proceeds" even when payment does not entitle the person paying to receive any chips, and even though part or all of the fee represents payment for food or beverages.*
- b) *Each payment of tax shall be made by money order or certified check payable to the Illinois Department of Revenue (Section 9 of the Act). Payments shall be made within 30 days after the completion of the charitable games events on successive days, the payment for all such events shall be made within 30 days after the completion of the last such event.*
- c) Every licensee must submit a report along with each payment of tax, on a form provided by the Department, which must contain the following information: A list of the types of charitable games

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conducted, and the number of stations of each; the number of persons purchasing chips; the amount of the entry fee, if any; gross proceeds; the amount of cash prizes and the cost to the licensee of noncash prizes; the names of all persons and organizations providing security either for persons or property at the event or to ~~insure~~ ensure the integrity of the games conducted at the event; and any other information requested by the Department relating to books or records which the licensee is required to maintain. In addition, the licensee shall file a list of all noncash prizes awarded, stating whether the prizes were purchased by the licensee or donated, and, if donated, by whom.

- d) If a licensee cancels a charitable games event, the licensee must file a report so stating. The report must be filed within 30 days after the scheduled date of the canceled event.
- e) *The sale of tangible personal property at charitable games events, including sales for which chips are accepted as payment instead of cash, is subject to all State and local taxes and obligations (Section 8 of the Act).*

(Source: Amended at 15 Ill. Reg. 10966 effective July 10, 1991)

## Section 435.190 Records; Audits

- a) Charitable games event checking account:
  - 1) Each licensee must establish a separate charitable games event checking account into which it must deposit the following funds:
    - A) The entire amount of admission fees collected prior to the day of the charitable games event, or the first day of events held on successive days;
    - B) The entire gross proceeds collected on the day(s) of the charitable games event(s), less only any cash prizes paid.
  - 2) All expenditures of funds deposited in the charitable games event checking account must be by checks, having consecutive numbers, payable to a specific person or organization. No checks shall be written to "cash". All checks written on this account must be for some lawful purpose of the licensee.
- b) Licensees must keep all records and receipts which this Part requires licensees to maintain, whether or not such records and



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receipts must be filed with the Department. Licensees shall keep any record or receipt pertaining to any charitable games event for at least three years after the event. All such records shall be available for inspection by representatives of the Department during reasonable business hours. Any and all records of any licensee, or any licensed supplier shall be subject to an audit by the Department without notice, performed at the premises where the charitable games event is conducted or at the office of the person or organization where the records are located. In the event of an audit by the Department, the person or organization being audited shall provide all such records, provide a place where such audit may be performed, and provide any requested information relevant to the conduct of the event.

- c) When the Department has information indicating that any person or organization licensed under the Act has not paid the full amount of tax due, has not provided the Department with accurate or complete information concerning revenues from charitable games events, or is using proceeds from charitable games events in an unlawful manner, the Department will require the licensee to obtain from an Illinois certified public accounting firm, at the licensee's own expense, a certified and unqualified financial statement and verification of records of the licensee (Section 10 of the Act). The statement must be submitted to the Department within 90 days after notice is received by the licensee.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.200 Denial, Suspension, or Revocation of Licenses

- a) The Department will deny the application of any person or organization which does not satisfy all eligibility requirements for the license for which application is made, or which is ineligible for a license under Section 435.150(a) or this Section.
- b) The Department will suspend the license of any person or organization which, during the license year, becomes ineligible for any reason. The suspension shall continue until the person or organization again becomes eligible, or until the license expires. However, if a person or organization holding any license under the Act becomes ineligible for the reasons stated in Section 435.150(e)(9) (knowingly making false statements to the Department), the license will be revoked.
- c) The Department will suspend or revoke the license of any person or organization violating the Act or this Part, as set forth below:

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- 1) Except as provided in subsection (c)(2) below, for a violation of any provision of the Act or this Part, the following penalties apply:

- A) For the first violation the penalty shall be an official warning;
- B) For the second violation of the same provision the penalty shall be suspension of the license for the remainder of the license year. A license is suspended shall not be renewed unless and until the offending person or organization has taken whatever action is necessary to ensure that the offense will not be repeated;
- C) For the third violation of the same provision the penalty shall be revocation of the license.

- 2) For a violation of Sections 435.130(d)(1), (5), and (6); 435.140(e); 435.160(b)(1) and (2); 435.160(b); 435.170(a); 435.170(b)(1); and 435.170(d), the following penalties apply:

- A) For the first violation the penalty shall be suspension of the license for the remainder of the license year;
- B) For the second violation of the same provision the penalty shall be suspension of the license for the remainder of the license year, and ineligibility for one year beyond the expiration date of the suspended license. A license so suspended shall not be renewed unless and until the offending person or organization has taken whatever action is necessary to ensure that the offense will not be repeated;
- C) For the third violation of the same provision the penalty shall be revocation of the license.

- d) Notification of denial, suspension, or revocation requests for hearing:

- 1) The Department will send notice of the denial of an application or the suspension or revocation of a license by certified mail, return receipt requested, to the applicant or licensed person or organization at the mailing address stated on the application. The notice will include the reasons for the Department's action and the penalty imposed for the violation.



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- 2) ~~An applicant or a licensed person or organization may request a hearing to contest the Department's denial, suspension, or revocation pursuant to 86 Ill. Adm. Code 200. The request shall be in writing, and must be received by the Department within 20 days after the date the notice of denial, suspension, or revocation was mailed by the Department.~~
- 3) ~~A suspension or revocation is effective immediately upon receipt by the licensee of the notice of suspension or revocation, or five days after the notice is mailed by the Department, whichever occurs first. The effective date of a suspension or revocation shall not be stayed even if the licensed person or organization requests a hearing.~~
- 4) ~~When a suspension or revocation becomes effective, the licensed person or organization shall surrender the license to the Department.~~

a) The Department shall deny the application of any person or organization which does not satisfy all eligibility requirements for the license for which application is made, or which is ineligible for a license under Section 435.150(a).

b) The Department shall suspend the license of any person or organization which, while its license is in effect, becomes ineligible for any reason. The suspension shall remain in force until the person or organization regains eligibility.

c) The Department shall issue a warning to, suspend, or revoke the license of any person or organization violating the Act or this Part.

- 1) Suspensions, revocations, and warnings imposed under this subsection, shall range in duration from one day to one year. The choice and duration of sanctions will be made on a case by case basis, and will be based on the licensee's history of compliance; the number, seriousness, and duration of violations; the cooperation extended to the Department by licensees in discontinuing and correcting violations; and the sanctions imposed on others by the Department under similar circumstances.

- 2) The effective date of a suspension shall be not less than 25 days after the date the Department mails the notice to the licensee. If the licensee requests a hearing within 20 days as provided in subsection (d)(2) below, the effective date of any suspension is stayed pending the outcome of the hearing, and the licensee may continue to operate under the license.

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If a license expires during a stay of suspension, the licensee may continue to operate only if a substantially complete renewal application and application fee have been received by the Department prior to the expiration of the license.

- d) Notification of denial, warning, suspension, or revocation, requests for hearing:

- 1) The Department shall send notices of denial, warning, suspension, or revocation by certified mail, return receipt requested, to the applicant or licensee at the mailing address stated on the applicant's or licensee's most recent license application. All such notices shall include a statement of the reasons for the Department's action.

- 2) An applicant or licensee may request a hearing to contest the Department's action pursuant to 86 Ill. Adm. Code 200. The request shall be in writing, and must be received by the Department within 20 days after the date the Department mailed the notice of its action to the applicant or licensee.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

## Section 435.210 Criminal and Civil Penalties

- a) The Act establishes criminal penalties for violations as follows:

- 1) Section 4(1) of the Act provides that any willful misstatement contained in an application for a charitable games license constitutes perjury.

- 2) Section 6 of the Act provides that any person or organization which sells, leases, or distributes for compensation within this State, or possesses with intent to sell, or lease, or distribute for compensation within this State, any charitable games equipment without having first obtained a license to do so from the Department is guilty of a Class A misdemeanor, the fine for which shall not exceed \$50,000, if the violation is committed knowingly.

- 3) Section 12 of the Act states that "any person who conducts or knowingly participates in an unlicensed charitable game commits the offense of gambling in violation of Section 28-1 of the Criminal Code of 1961, as amended." Section 12 further provides that anyone who violates any other provision of the Act, or anyone who willfully violates any provision of this Part is guilty of a Class A misdemeanor. Any second or subsequent violation of the Act constitutes a Class 4 felony.



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writing, a hearing. The sole issue at such hearing shall be whether a charitable games event was conducted without a license, or under a suspended or revoked license, or whether illegal gambling was conducted at an otherwise properly licensed charitable games event.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

Section 435.220 State-Local Relations

- a) Whenever the Department takes any action authorizing or prohibiting the conducting of a charitable games event, it shall notify the police department or sheriff's office, as the case may be, whose jurisdiction includes the premises on which charitable games event(s) are authorized or prohibited.
- b) Any law enforcement agency that takes action relating to the operation of a charitable games event, whether licensed or unlicensed, shall notify the Department and specify the extent of the action taken and the reasons for such action (Section 15 of the Act). The Department shall thereon take whatever action is necessary under the Act. Any law enforcement agency that confiscates charitable games equipment and/or gross proceeds as provided in Section 435.210(b) shall, as soon as practicable under the circumstances, turn over such equipment and/or proceeds to the Department.
- c) From appropriations to the Department for such purpose, the Department shall make grants to counties and municipalities for law-enforcement law enforcement purposes. The amount of a grant to a county or municipality shall bear the same ratio to the total amount of grants made as the number of charitable games licenses issued in the municipality, or in the county outside the boundaries of any municipality, bears to the total number of charitable games licenses issued in the State in the fiscal year immediately preceding the fiscal year during which such grants will be made. For purposes of this provision, the Department shall consider only the number of charitable games licenses issued, not the number of charitable games events conducted under each license.

(Source: Amended at 15 Ill. Reg. 10966, effective July 10, 1991)

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b) Forfeitures shall be imposed as follows:

- 1) Any charitable games equipment used at an unlicensed charitable games event is forfeited to the State, and will be confiscated. Any charitable games equipment used at the charitable games event of a licensee whose license is in a suspended or revoked status is forfeited to the State, and will be confiscated, provided that the owner of the equipment knows or could reasonably be expected to know of the suspended or revoked status of the license.
- 2) Any charitable games equipment used for any form of illegal gambling at an otherwise properly licensed charitable games event is forfeited to the State, and will be confiscated.
- 3) The gross proceeds from any charitable games event described in subsection (b)(1) above, or from any illegal gambling at any charitable games event are forfeited to the State and will be confiscated. The Department shall determine the amount of gross proceeds based on all information available to the Department and its judgment of all the facts of each particular case.
- 4) The Department will provide a detailed written receipt describing all confiscated equipment and proceeds.
- c) In addition to, or independently of any forfeiture of gross proceeds as provided in subsection (b)(3) above, the Department shall assess against an organization a civil penalty equal to the gross proceeds derived by the organization from any charitable games event which is conducted without a license or which is conducted under a suspended or revoked license, or at which illegal gambling is conducted. A civil penalty of \$1,000 shall be assessed against a licensed supplier for any violation of the Act or this Part. Notice of assessment of a civil penalty shall be sent by certified mail, return receipt requested. The person or organization against whom a civil penalty has been assessed shall remit, by certified check or money order payable to the Illinois Department of Revenue, the full amount of the penalty within 30 days from the date the notice was mailed.
- d) When charitable games equipment or gross proceeds are forfeited to the State under subsection (b) above, or a civil penalty is assessed under subsection (c) above, the organization entitled to possession of the equipment or proceeds at the time of confiscation or at the time a civil penalty is assessed may, within 30 days of the date of confiscation or imposition of the penalty, request, in



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- 1) Heading of the Part: Pull Tabs and Jar Games Act
- 2) Code Citation: 86 Ill. Adm. Code 432
- 3) Section Numbers:

|                        |
|------------------------|
| <u>Adopted Action:</u> |
| 432.100 Amendment      |
| 432.110 Amendment      |
| 432.120 Amendment      |
| 432.160 Amendment      |
- 4) Statutory Authority: Ill. Rev. Stat. 1989, ch. 120, pars. 1051 et seq.
- 5) Effective Date of Amendments: July 10, 1991
- 6) Does this rulemaking contain an automatic repeal date: No
- 7) Does this amendment contain incorporations by reference: No
- 8) Date Filed in Agency's Principal Office: July 10, 1991
- 9) Notice(s) of Proposal Published in Illinois Register:  
February 8, 1991, 15 Ill. Reg. 177Z
- 10) Has ICAR issued a Statement of Objections to these rules: No
- 11) Difference(s) between proposal and final version: No differences between proposed and final version.
- 12) Have all the changes agreed upon by the agency and ICAR been made as indicated in the agreement letter issued by ICAR? Yes
- 13) Will these amendments replace an emergency rule currently in effect?  
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

This rulemaking implements statutory amendments.

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- 16) Information and questions regarding this adopted amendment shall be directed to:

R. Dale Yung  
Administrator  
Legal Services Bureau  
101 West Jefferson Street  
Springfield, Illinois 61794  
Phone: (217) 782-6336

The full text of the Adopted Amendments begins on the next page:



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TITLE 86: REVENUE  
CHAPTER I: DEPARTMENT OF REVENUEPART 432  
PULL TABS AND JAR GAMES ACT

## Section

432.100 Definitions  
 432.110 Regular Licenses  
 432.120 Limited Licenses  
 432.130 Manufacturer's Licenses  
 432.140 Supplier's Licenses  
 432.150 Ineligibility for License  
 432.160 Restrictions and Limitations on the Sale of Pull Tabs  
 432.170 Imposition of Tax; Returns  
 432.180 Records; Audits  
 432.190 Denial, Suspension, or Revocation of Licenses; Criminal Sanctions  
 432.200 State - Local Relations

AUTHORITY: Implementing and authorized by the Illinois Pull Tabs and Jar Games Act (Ill. Rev. Stat. 1989, ch. 120, pars. 1051 et seq.)

SOURCE: Emergency Rules adopted at 12 Ill. Reg. 11297, effective June 30, 1988, for a maximum of 150 days, emergency expired November 27, 1988; adopted at 13 Ill. Reg. 191, effective January 1, 1989; amended at 14 Ill. Reg. 6399, effective April 16, 1990; amended at 1099 Ill. Reg. \_\_\_\_\_, effective July 10, 1991.

## Section 432.100 Definitions

As used in this Part, the terms listed below are defined as follows:

"Act": The Illinois Pull Tabs and Jar Games Act (~~Public Act 95-4012~~, effective ~~July 4, 1988~~ Ill. Rev. Stat. 1989, ch. 120, pars. 1051 et seq.);

"Deal": A separate package, series of packages, or card consisting of one game of pull tabs with the same serial number, purchased from a licensed manufacturer or supplier;

"Department": The Illinois Department of Revenue;

"Flare": The posted display setting forth the rules and prizes of a particular deal of pull tabs;

"Member": A person who is eligible to participate in the sale of pull tabs for a regular licensee; ~~the term includes members of an~~

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~~auxiliary organization; substantially all of whose members are spouses of members of the regular licensee~~

"Organization": A corporation, agency, partnership, association, firm or other entity consisting of 2 or more persons joined by a common interest or purpose (Section 1.1 of the Act);

"Pull tabs": Any of several different but closely related types of charitable gaming tickets which may be sold by licensees under the Act. As used in this Part, the term includes pull tabs, jar tickets, and tipboards, each of which is separately defined below. Nothing in the Act or this Part applies in any way to pull tabs sold in accordance with the Charitable Games Act (Ill. Rev. Stat. 1987 1989, ch. 120, par. 1121 et seq.) or the rules implementing that Act (86 Ill. Adm. Code 435);

A pull tab, also known as a "break open", is a card, the face of which is initially covered or otherwise hidden from view in order to conceal a number, symbol or set of symbols, some of which have been designated in advance as prize winners (Section 1.1 of the Act);

A jar ticket is a folded and banded ticket concealing a number, symbol or set of numbers or symbols, some of which have been designated in advance as winners;

A tipboard is a board or placard to which are attached tickets which contain concealed numbers. The winning number is determined by removing a seal on the board.

"Received by the Department" or similar phrases: Whenever this Part requires that any writing or payment must be received within a specified number of days or by a specified date, the provisions of Section 1.25 of "AN ACT to revise the law in relation to the construction of the statutes" (Ill. Rev. Stat. 1987 1989, ch. 1, par. 1026) shall apply;

"Regular licensee": An organization holding a license authorizing it to sell pull tabs in Illinois to the public.

(Source: Amended at 15 Ill. Reg. 10993, effective July 10, 1991)

## Section 432.110 Regular Licenses

- a) Eligibility. To be eligible for a regular license, an organization must have been organized in Illinois. It must have been in existence continuously during the entire five-year period preceding application, and during that period must have had a bona fide



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membership engaged in carrying out its stated objectives on a regular basis. The five year requirement shall be reduced to two years, as applied to a local organization which is affiliated with and chartered by a national organization which meets the five year requirement (Section 2 of the Act). To be "chartered" by a national organization, an Illinois organization must have a document issued by the national Illinois organization formally authorizing the establishment of the Illinois organization. The organization must operate without profit to its members, be conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation, and must fall within one of the following categories:

- 1) Charitable Organization: an organization organized and operated to benefit an indefinite number of the public (Section 1.1 of the Act);
- 2) Educational Organization: an organization organized and operated to provide systematic instruction in useful branches of learning by methods common to schools and institutions of learning which compare favorably in their scope and intensity with the course of study presented in tax-supported schools (Section 1.1 of the Act). Public schools and school districts are not eligible for regular licenses. Organizations affiliated with public schools, such as booster clubs, may be eligible if they fall within any of the other categories listed in this Section;
- 3) Religious Organization: any church, congregation, society or organization founded for the purpose of religious worship (Section 1.1 of the Act);
- 4) Fraternal Organization: an organization of persons, including but not limited to ethnic organizations, having a common interest, organized and operated exclusively to promote the welfare of its members and to benefit the general public on a continuing and consistent basis (Section 1.1 of the Act);
- 5) Veterans' Organization: an organization comprised of members of which substantially all are individuals who are veterans or spouses, widows, or widowers of veterans, the primary purpose of which is to promote the welfare of its members and to provide assistance to the general public in such a way as to confer a public benefit (Section 1.1 of the Act);
- 6) Labor Organization: an organization composed of labor unions or workers organized with the objective of betterment of the conditions of those engaged in such pursuit and the development of a higher degree of efficiency in their respective occupations (Section 1.1 of the Act);

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- 7) Youth Athletic Organization: an organization having as its exclusive purpose the promotion and provision of athletic activities for youth aged 18 and under (Section 1.1 of the Act). Marching bands and drum and bugle corps are considered to promote and provide athletic activities. A youth athletic organization otherwise eligible for a regular license does not lose its eligibility because youths served by the organization become nineteen while participating in an athletic activity with a season of definite duration;
  - 8) Senior Citizens Organization: an organization or association comprised of members of which substantially all are individuals who are 55 years of age or older, or who are nearing the age of 55 and for whom opportunities for employment and participation in community life are unavailable or severely limited and who, as a result thereof, have difficulty in maintaining self-sufficiency and contributing to the life of the community. The primary purpose of the organization must be the promotion of the welfare of its members (Section 1.1 of the Act; Section 3.05 of the Illinois Act on the Aging; (Ill. Rev. Stat. 1987 1989, ch. 23, par. 6103.05)).
- b) Applications. Application for a regular license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$500 in the form of a check or money order payable to the Illinois Department of Revenue, and by the following documents and information:
- 1) Documentary evidence sufficient to show that the organization meets the eligibility requirements of subsection (a) above. Such documentation should include, when applicable, a copy of the organization's bylaws, constitution, charter, minutes of past meetings, promotional materials, and Articles of Incorporation;
  - 2) The names of the members of the organization who will participate in the sale of pull tabs. The presiding officer of the organization must certify that the persons listed are eligible to sell pull tabs, and have been members of the organization for at least 30 days before participating in the organization's sale of pull tabs;
  - 3) A copy of the letter or any other document issued to the organization by the Attorney General showing that the organization is in compliance with the registration requirements of "AN ACT to regulate solicitation and collection of funds for charitable purposes, providing for



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violations thereof, and making an appropriation therefor" (Ill. Rev. Stat. 1987 1989, ch. 23, par. 5101 et seq.);

- 4) For license renewal applications, a report, on a form provided by the Department, accounting for the disposition of the gross proceeds derived from the sale of pull tabs during the period covered by the report (see Section 432.180);
- 5) Any other information requested by the Department which is necessary to establish the eligibility of the organization for a regular license.
- 6) If, during a license year, any of the information provided to the Department by the licensee changes, the licensee must notify the Department within 20 days, in writing, of any such changes.

7) The application form shall include the following information:

- A) Name of organization
- B) Address
- C) Mailing Address
- D) Name and address of person responsible for filing tax returns
- E) Type of organization
- F) Address(es) of place where pull tabs are to be sold
- G) Does applicant own or lease premises?
- H) In what municipality will the applicant be making the most pull tab sales in terms of gross receipts? If you are outside any municipality, in what county?
- I) Tax registration or license number (if registered with the Illinois Department of Revenue under any Illinois tax act)
- J) Number of members in good standing
- K) How long has organization had a ~~bona fide~~ bona fide membership engaged in carrying out its objectives?

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- L) Place and date of incorporation of organization
- M) If not a corporation, state how and when organized
- N) Estimated amount of pull tabs and jar games tax per calendar quarter
- O) Are you registered with the Attorney General's Office pursuant to the Illinois Solicitation Act?
- P) For president of organization: name, address, home and business phone numbers, social security number, date of birth and race
- Q) For secretary of organization: name, address, home and business phone numbers, social security number, date of birth and race
- R) For person in charge of and primarily responsible for selling of the pull tabs: name, address, home and business phone numbers, social security number, date of birth and race
- S) Are criteria for membership in the organization included with the application?
- T) Is documentary evidence verifying the claimed status of the applicant as a ~~bona fide~~ bona fide, non-profit, nonprofit religious, charitable, labor, fraternal, educational, veteran's, youth athletic, or senior citizen's organization included with the application?
- U) Is the documentary evidence verifying that the location(s) where you will be selling pull tabs is owned or occupied by your organization and used for your general activities or is the location where you conduct bingo included with the application?
- V) Is a description of the activities and programs which qualify for support from pull tabs proceeds included with the application?
- W) Is a list of your organization's members who will be selling pull tabs included with the application?
- X) Is a completed Form PT-12, Expenditures of Funds Earned Through Pull Tabs and Jar Games, for the past license year included with the application?



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Y) Signatures of officers and person primarily responsible for the sale of the pull tabs

c) Licenses. Within 30 days after the receipt of a completed application, the Department will attempt to approve or deny the application. If the Department determines that an organization meets all of the eligibility requirements of this Section, and is not ineligible for any of the reasons stated in Section 432.150, the Department will issue a regular license to the organization. If the Department does not respond prior to expiration of the current license, the licensee is no longer authorized to conduct pull tab sales until such time as an authorization is received. A regular license authorizes the licensee to sell pull tabs only at the locations stated on the license. Such locations must be owned or occupied by the regular licensee and used by its members for general activities, or must be used by the regular licensee for conducting bingo (see Section 432.160(b)).

1) No organization may begin to sell pull tabs without having a valid license in its possession.

2) Except as provided below, regular licenses expire at midnight on the June 30 following the date the license is issued. The Department cannot prorate the \$500 license fee when a license is issued for less than a full year. Each license expires at midnight, June 30, following its date of issuance, except that, beginning with applicants whose licenses expire on June 30, 1990, the following license expiration dates and license fees will apply:

- A) Licenses in Group 1 will expire December 31, 1990. The license fee is \$250;
- B) Licenses in Group 2 will expire March 31, 1991. The license fee is \$375;
- C) Licenses in Group 3 will expire June 30, 1991. The license fee is \$500;
- D) Licenses in Group 4 will expire September 30, 1991. The license fee is \$625.

3) Each license shall be in effect for one year from its date of issuance unless suspended or revoked by the Department before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked. The Department cannot prorate the

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\$500 license fee when a license is issued for less than a full year.

34) It is the Department's policy to mail a renewal application to each regular licensee at least 30 days prior to the expiration of the license. However, failure to receive a renewal application does not excuse an organization of its obligation to submit a renewal application prior to the expiration of its current license. If the Department receives a renewal application from a licensee who fails to file a substantially complete renewal application not more than seven days after prior to the expiration of a license, the organization may continue to sell pull tabs until the Department takes action on the renewal application. If the Department receives a renewal application more than seven days after the expiration of a license, the organization must immediately discontinue the sale of pull tabs until it receives a renewed license from the Department it must discontinue the sale of pull tabs until a renewal license is issued.

4) Beginning with applicants whose licenses expire on June 30, 1990, and for which renewal applications are submitted, the following license expiration dates and fees shall apply:

- A) Licenses P1 through P200 will expire December 31, 1990. The license fee is \$250;
- B) Licenses P201 through P400 will expire March 31, 1991. The license fee is \$375;
- C) Licenses P401 through P600 will expire June 30, 1991. The license fee is \$500; and
- D) Licenses P601 and higher will expire September 30, 1991. The license fee is \$625.

Following expiration under this schedule, each renewed license shall be in effect for one year from its date of issuance unless suspended or revoked by Department action before that date. After June 30, 1990, every new license shall expire one year from the date of issuance unless suspended or revoked (Section 2 of the Act).

d) Special permits. Once during each license year a regular licensee may obtain a special permit to sell pull tabs at a different, additional location for a period of up to ten consecutive days. To apply for a special permit, a regular licensee must submit a written request to the Illinois Department of Revenue, Office of Bingo and



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Charitable Games Unit, P.O. Box 49019 19480, Springfield, Illinois 62794-9019 9480. The request must be received at least fourteen days before the first day of the scheduled pull tab event, and must include a statement of the specific dates and exact location for which the permit is requested, and the name and address of the person or organization which owns or controls the site at which pull tabs will be sold.

(Source: Amended at 15 Ill. Reg. 10993 effective July 10, 1991)

## Section 432.120 Limited Licenses

a) Eligibility. Any organization which would be eligible for a regular license but which does not hold one, is eligible for a special permit to sell pull tabs. A special permit issued pursuant to this Section shall be known as a "limited license", solely for the purpose of differentiating these special permits from special permits issued pursuant to Section 432.110(d).

b) Applications. Application for a limited license must be made on the form prescribed by the Department, and must be accompanied by a license fee of \$50 in the form of a check or money order payable to the Illinois Department of Revenue. Applications must be accompanied by the same documents and information which are required to accompany applications for regular licenses (see Section 432.110(b)).

c) Licenses. Within 30 days after the receipt of a completed application, the Department will approve or deny the application. If the Department determines that an organization meets all of the eligibility requirements of this Section, and is not ineligible for any of the reasons stated in Section 432.150, the Department will issue a limited license to the organization.

1) A limited license authorizes the licensee to sell pull tabs at no more than 2 indoor or outdoor festivals in a year for a maximum of 5 days on each occasion. No more than 2 limited licenses may be issued to any organization in any year.

2) If the Department receives a completed application less than 30 days before the first date on which the applicant wants to sell pull tabs, the Department will make every reasonable effort to act on the application prior to that date. However, no organization may begin to sell pull tabs without having a valid limited license in its possession.

d) All provisions of this Part governing the sale of pull tabs by

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regular licensees also apply to limited licensees.

(Source: Amended at 15 Ill. Reg. 10993 effective July 10, 1991)

## Section 432.160 Restrictions and Limitations on the Sale of Pull Tabs

a) Licenses. No person or organization may sell pull tabs or advertise pull tabs for sale in Illinois without having a valid license to do so.

1) Licensed manufacturers may sell pull tabs only to licensed suppliers, licensed suppliers may sell pull tabs only to regular and limited licensees, and regular and limited licensees may sell pull tabs only to the public. A manufacturer or supplier may rely on its customers' representations that they are properly licensed (under the license numbers provided by the customers) unless the manufacturer or supplier has received notification from the Department that a particular person or organization does not have a valid license.

2) Regular and limited licensees may obtain pull tabs only from licensed suppliers. It is the responsibility of regular and limited licensees to ensure that all pull tabs which they obtain are marked with the name of the supplier on each pull tab. Regular and limited licensees are requested to notify the Department whenever they receive any printed material advertising the availability of pull tabs if no supplier's license number appears on the material. A supplier's license number will be in the form of the letters "PS" followed by a hyphen and one or more numerals. The notification to the Department, which may consist entirely of a copy of the printed material, should be addressed to the Illinois Department of Revenue, Office of Bingo and Charitable Games Unit, P.O. Box 49019 19480, Springfield, Illinois 62794-9019 9480.

b) Locations. A regular or limited licensee may sell pull tabs only at the locations stated on its license. Pull tabs may be sold only at the following locations:

1) On premises owned or occupied by a licensed organization and used by its members for general activities (Section 4(6) of the Act). "Premises" means a distinct parcel of land and the buildings thereon. Premises are "occupied" by an organization when the organization is using the premises for its general activities in accordance with a contractual right to possess the premises on a regular basis;



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- 2) on premises owned or rented for conducting bingo (Section 4(6) of the Act). If a licensee rents premises for the purpose of conducting bingo, and does not regularly conduct other activities at other times on such premises, then pull tabs may be sold on such premises only during the licensee's bingo session, which is defined as the time during which bingo is conducted, including the time during which bingo cards are sold" (86 Ill. Adm. Code 430.100);
- 3) For regular licensees only, at other premises specified in a special permit obtained pursuant to Section 432.110(d).
- 4) A license issued by the Department does not grant an unqualified right to sell pull tabs at a specified location. If premises are owned or controlled by a person or organization other than the licensee, that person or organization may prohibit the licensee from selling pull tabs on the premises. EXAMPLE: The American Legion Post conducts bingo at the Moose Lodge. Although the Post may legally obtain a license to sell pull tabs at the Lodge, the Lodge is not required to allow the Post to sell pull tabs on the Lodge's premises - this would be a matter to be determined by and between the Post and the Lodge.
- 5) A regular or limited license or a special permit shall be prominently displayed in the area where pull tabs are sold. If pull tabs are sold in more than one area on the licensed premises, the license shall be prominently displayed in the area where the greatest volume of sales normally occurs. If pull tabs are sold at multiple premises, the license shall be prominently displayed at the premises where the greatest volume of sales normally occurs, and a sign stating where the license is located shall be prominently displayed on all other premises. "Prominently displayed" means that a license or sign is clearly visible and legible to the naked eye. Under no circumstances may any licensee duplicate or reproduce any license issued under the Act.

c) No person under the age of 18 years shall play or participate in the sale of pull tabs. A person under the age of 18 years may be within the area where pull tabs are sold only when accompanied by his or her parent or guardian (Section 4(5) of the Act).

d) Only a bona fide member or employee of the regular or limited licensee may participate in the sale of pull tabs. A "bona fide" member is one who has been a member of the licensee for at least 30 days prior to participating in the sale of pull tabs. A "bona

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- e) "employee is one whose principal duties are other than managing or operating pull tabs or jar games. No person may receive any remuneration or compensation for participating in the sale of pull tabs.
- f) Regular and limited licensees must sell pull tabs for the price printed on the tickets, but in no case may pull tabs be sold for more than one dollar each. Pull tabs must be sold for cash - no credit may be extended to purchasers. There shall be no more than 4,000 tickets in each game.
- f) No single pull tab prize may exceed \$250 in cash or merchandise (valued at retail). The aggregate value of all prizes or merchandise awarded in any single day shall not exceed \$2,250, except that in Madison, Monroe, and St. Clair Counties the value of all prizes awarded may not exceed \$3,250 in a single day (Section 4(4) of the Act). All winning pull tabs which are redeemed for prizes each day shall be retained by the licensee for a period of 60 days, and shall be segregated from winning pull tabs which are redeemed on other days. Winning pull tabs should be defaced so that they may not be used or redeemed a second time, but defacement must leave the prize amount printed on the ticket legible.
- g) All advertising of pull tabs for sale in Illinois by any licensee under this Act must include the license number and name of the licensee.
- h) The entire net proceeds from the sale of pull tabs must be exclusively devoted to the lawful purposes of the licensee (Section 4(1) of the Act). The net proceeds (gross proceeds less cash returned to winners) must not be commingled with any other funds belonging to the licensee (except interest paid on the deposited proceeds), and must be deposited into the pull tabs checking account established pursuant to Section 432.180(a).
- i) No regular or limited licensee, while pull tabs are being sold, shall knowingly permit entry to any part of the licensed premises to any person who has been convicted of a felony or a violation of Article 28 (gambling) of the Criminal Code of 1961 (Section 6 of the Act).

(Source: Amended at 15 Ill. Reg. 10993, effective July 10, 1991)



## DEPARTMENT OF STATE POLICE MERIT BOARD

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- 1) The Heading of the Part: PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD
- 2) Code Citation: 80 Ill. Adm. Code 150
- 3) Section Numbers: Adopted Action:  
150.430 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 121, par. 307.8 and 307.10
- 5) Effective Date of Rule(s): July 15, 1991
- 6) Does this Rulemaking Contain an Automatic Repeal Date? No
- 7) Does this rule contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: July 10, 1991
- 9) Notice(s) of Proposal Published in Illinois Register:  
April 12, 1991, 15 Ill. Reg. 5200
- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No
- 11) Difference(s) between proposal and final version:  
No changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? No changes were requested by JCAR.
- 13) Will this rule replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Rule(s):

After a thorough review of the promotional process, the Department of State Police Merit Board voted to abbreviate the assessment center process by conducting an assessment interview for Captains and Majors. The Board also voted to delete the weight factors for the ranks to Lieutenant, Captain and Major.

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- 16) Information and questions regarding this adopted rule shall be directed to:  
Name: James E. Seiber, Executive Director  
Address: 3180 Adloff Lane, Suite 100, Springfield, IL 62703  
Telephone: 217/786-6240

The full text of the Adopted Rule(s) begins on the next page:



## DEPARTMENT OF STATE POLICE MERIT BOARD

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## TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

## SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

## CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

## PART 150

## PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

## SUBPART A: DEFINITIONS

## Section

150.10 Definitions

## Section

150.210 Qualifications

150.220 Selection Procedures

150.230 Recertification

150.240 Probationary Period

## SUBPART B: CERTIFICATION FOR APPOINTMENT

## SUBPART C: CLASSIFICATION OF RANKS

## Section

150.310 Ranks

150.320 Interdivisional Transfers

## SUBPART D: CERTIFICATION FOR PROMOTION

## Section

150.410 Board Responsibilities

150.420 Eligibility

150.430 Procedures

150.440 Promotion Probationary Period (Repealed)

## SUBPART E: DISCIPLINARY ACTION

## Section

150.510 Merit Board Jurisdiction

150.520 Discipline Afforded the Deputy Director

150.530 Notification to Suspended Officer

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150.540

Petition for Review

150.550 Form and Content of Petition for Review

150.560 Filing Procedures

150.565 Procedure for Processing Petition for Review

150.570 Director's Review

150.575 Discipline Afforded the Director

150.580 Complaint Procedures

150.585 Scheduling the Hearing

150.590 Notification to Officer

## SUBPART F: HEARINGS

150.610

Board Docket

150.620 Hearing Officer

150.630 Pre-hearing Conferences

150.640 Motions

150.650 Subpoenas

150.655 Request for Witnesses or Documents

150.660 Evidence Depositions

150.665 Hearing Procedures

150.670 Continuances and Extensions of Time

150.675 Computation of Time

150.680 Decisions of the Board

150.685 Service and Form of Papers

## Appendix A Vision Standards

## Appendix B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of "AN ACT in relation to the Department of State Police" (Ill. Rev. Stat. 1989, ch. 121, pars. 307.3 through 307.14 and 307.8.)

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency rules adopted at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency rules adopted at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendments at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendments at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendments at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg.



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14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill. Reg. 11007 effective July 15, 1991.

## SUBPART D: CERTIFICATION FOR PROMOTION

## Section 150.430 Procedures

- The Board will provide each officer with official notification announcing the examination and requesting a written response respecting the officer's intention to participate.
- Candidates for promotion must complete examinations at the time designated by the Board in the official notification. No exceptions will be allowed.
- Such candidates must have taken the most recent examination offered by the Board to be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.

## d) Promotional Process Weight-Factors Components

- The total promotional score will consist of combined standardized scores or respective percentage weights of the following components factors-and-respective-weights-for-the-ranks designated for each rank:

|                        | Sgt, Msg, | SA Sgt, | SA Msg | LT. | SA Lt. | SA-Bt, | SA Capt, | SA Maj, |
|------------------------|-----------|---------|--------|-----|--------|--------|----------|---------|
| Written Examination    | 50% X     | X       | X      | X   | X      | X      | X        | 30X     |
| Performance Evaluation | 45% X     | X       | X      | X   | X      | X      | X        | 35X     |
| Seniority in Rank      | 5 X       | X       | X      | X   | X      | X      | X        | 5X      |
| Assessment Interview   | NA        | NA      | NA     | NA  | NA     | NA     | NA       | X       |
| Assessment Center*     | NA        | NA      | NA     | X   | X      | X      | X        | 30NA    |

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\*The Assessment Center program is a process of standardized evaluation of candidate behavior(s) utilizing job related dimensions empirically derived from the occupational analysis. Candidates will be observed, recorded and evaluated on realistic and job related management simulations by trained law enforcement executives of a rank equal to or at least one level above the candidates present rank.

- Each promotional score will be standardized by race/sex in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.
- Candidates for the ranks of Lieutenant, Captain, Major, Special Agent Lieutenant, Special Agent Captain, and Special Agent Major whose combined written examination, performance evaluation, and seniority scores fall below the top 65% of candidates participating in each rank, are not eligible to participate in their respective Assessment Center.
- The Board will certify to the Director the top 65% of those Troopers, Sergeants, Special Agents and Special Agent Sergeants participating in the total promotional process. All Master Sergeants, Lieutenants, Captains, Special Agent Master Sergeants, Special Agent Lieutenants and Special Agent Captains participating in the total promotional process will be certified by the Board.
- There will be statewide certification lists for the ranks of Lieutenant/Special Agent Lieutenant, Captain/Special Agent Captain, and Major/Special Agent Major. The certification lists for Sergeant and Master Sergeant will be according to Districts, and lists for Special Agent Sergeant and Special Agent Master Sergeant will be according to Areas.
- The top ten (10) candidates on each certification list for all ranks are equally eligible for promotion by the Director; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration. The Director may promote accordingly any one of the eligible candidates in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.
- As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;



## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENT(S)

- 2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;
- i) Upon written notification from the Department to the Board that a candidate on the certification list has been suspended, is on leave of absence, or has applied for disability benefits, the Board will remove the candidate's name from the certification list. The candidate's name will be restored on the list in a position in proper relation to the total promotional scores remaining when the suspension or leave of absence terminates or the disability is removed.
- j) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Director will file a written request with the Board asking for the certification of additional names on any one list if necessary to fill vacant positions.

(Source: Amended at 15 Ill. Reg. 11007 effective July 15, 1991)

## SECRETARY OF STATE

## NOTICE OF CORRECTIONS

1) Heading of the Part: Local Tourism and Convention Bureau Program

2) Code Citation: 14 Ill. Adm. Code 550

3) The Notice of Emergency Amendments being corrected appeared at 15 Ill. Reg. 10498, dated July 12, 1991.

4) The information being corrected is as follows: The emergency amendments were inadvertently stamped with a July 1, 1991 effective date. The date is being corrected to June 26, 1991.



## COMMISSIONER OF BANKS AND TRUST COMPANIES

## NOTICE OF PUBLIC INFORMATION

NOTICE OF ACCEPTANCE OF AN APPLICATION  
BY FIRST OF AMERICA BANK CORPORATION,  
KALAMAZOO, MICHIGAN, TO ACQUIRE MORGAN  
COMMUNITY BANCORP, JACKSONVILLE, ILLINOIS

Pursuant to Section 3.071(d) of the Illinois Bank Holding Company Act of 1957 (Ill. Rev. Stat. 1989, ch. 17, par. 2510.01(d)), notice is hereby given that the Commissioner of Banks and Trust Companies has accepted for processing an application by First of America Bank Corporation, 108 East Michigan Avenue, Kalamazoo, Michigan 49007, to acquire Morgan Community Bancorp, Inc., 1342 South Main Street, Jacksonville, Illinois 62650.

Interested persons who desire to comment on this proposed acquisition may submit their comments in writing no later than 14 days after the publication of this notice to either:

Jerry D. Cavanaugh  
Thomas W. Stephans  
Commissioner of Banks and Trust Companies  
Room 100 Reisch Building  
117 South Fifth Street  
Springfield, Illinois 62701

JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of July 10, 1991 through July 16, 1991, and have been scheduled for review by the Committee at its August meeting. Other items not contained in this published list may also be considered by the Committee at its August meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

| Second Notice Expires | Agency and Rule  | Start of First Notice           | Scheduled for Consideration by JCAR |
|-----------------------|--|---------------------------------|-------------------------------------|
| 8/26/91               | Department of Public Health, Hospital Licensing Requirements (77 Ill. Adm. Code 250)   | 4/5/91<br>15 Ill. Reg.<br>4946  | August, 1991                        |
| 8/26/91               | Department of Public Health, Ambulatory Surgical Treatment Center Licensing Requirements (77 Ill. Adm. Code 205)                   | 4/5/91<br>15 Ill. Reg.<br>4932  | August, 1991                        |
| 8/26/91               | Department of Public Health, Sanitary Practice for Drinking Water, Sewage Disposal and Restroom Facilities (77 Ill. Adm. Code 895) | 4/5/91<br>15 Ill. Reg.<br>5005  | August, 1991                        |
| 8/26/91               | Secretary of State, Rulemaking (1 Ill. Adm. Code 100)  | 5/17/91<br>15 Ill. Reg.<br>7522 | August, 1991                        |
| 8/26/91               | Savings and Loan Board, Savings and Loan Board (38 Ill. Adm. Code 500)   | 4/12/91<br>15 Ill. Reg.<br>5179 | August, 1991                        |
| 8/26/91               | Savings and Loan Board, Appeals to the Savings and Loan Advisory Board, Repeal of 38 Ill. Adm. Code 500)                           | 4/12/91<br>15 Ill. Reg.<br>5162 | August, 1991                        |
| 8/26/91               | Department of Public Aid, Medical Payment (89 Ill. Adm. Code 140.11)   | 5/10/91<br>15 Ill. Reg.<br>6949 | August, 1991                        |
| 8/26/91               | Department of Public Aid, Medical Payment (89 Ill. Adm. Code 140)  | 4/5/91<br>15 Ill. Reg.<br>4903  | August, 1991                        |



JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLYSECOND NOTICES RECEIVED  
(page 2)

| Second Notice Expires | Agency and Rule   | Start of First Notice           | Scheduled for Consideration by JCAR |
|-----------------------|---|---------------------------------|-------------------------------------|
| 8/26/91               | Department of Conservation, Possession of Specimens or Products of Endangered and Threatened Species (17 Ill. Adm. Code 1070) | 5/24/91<br>15 Ill. Reg.<br>7855 | August, 1991                        |
| 8/26/91               | Department of Conservation, Duck, Goose and Coot Hunting (17 Ill. Adm. Code 590)  | 5/24/91<br>15 Ill. Reg.<br>7809 | August, 1991                        |
| 8/26/91               | Secretary of State, Mandatory Vehicle Liability Insurance (50 Ill. Adm. Code 8010)  | 5/17/91<br>15 Ill. Reg.<br>7518 | August, 1991                        |
| 8/30/91               | Department of Conservation, White-Tailed Deer Hunting Season by Use of Handguns (17 Ill. Adm. Code 680)                       | 5/31/91<br>15 Ill. Reg.<br>8107 | August, 1991                        |
| 8/30/91               | Illinois Racing Board, Twin Trifecta Exchange (11 Ill. Adm. Code 440)   | 5/31/91<br>15 Ill. Reg.<br>8152 | August, 1991                        |
| 8/30/91               | Illinois Racing Board, Supertifecta Rules (11 Ill. Adm. Code 421)   | 5/31/91<br>15 Ill. Reg.<br>8150 | August, 1991                        |

## PROCLAMATION

91-344  
CAPTIVE NATIONS WEEK

Whereas, Americans enjoy the liberty and freedom of which people in captive nations only dream. The rights we often take for granted are fought for every day by those who do not rule themselves; and

Whereas, 1991 marks the 31st anniversary of the observance of Captive Nations Week, which calls attention to the maintenance of a constant vigil on the struggles of the captive people around the globe; and

Whereas, this observance will be continued until freedom and independence have been achieved for all the captive nations of the world;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 14-20, 1991, as CAPTIVE NATIONS WEEK in Illinois in the hope that all people throughout the world may find their freedom.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-345

## ILLINOIS REPUBLICAN NATIONAL HISPANIC ASSEMBLY DAY

Whereas, the Illinois Republican National Hispanic Assembly is being held July 11, 1991, at the Quality Inn in Chicago to honor Republican leaders and elected officials; and

Whereas, the Illinois Republican National Hispanic Assembly plays an integral role in reaching out to the ever growing Hispanic community throughout our state and our nation; and

Whereas, these efforts assist in bringing more Hispanics into our system of representative government; and

Whereas, the Illinois Republican National Hispanic Assembly encourages the principles of hard work, respect for family and country, and the importance of education and freedom for all;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 11, 1991, as ILLINOIS REPUBLICAN NATIONAL HISPANIC ASSEMBLY DAY in Illinois.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-346

## IVAN E. AND RUTH H. FRICK DAY

Whereas, Ivan Eugene Frick and Ruth Hudson Frick, president and first lady of Elmhurst College, have devoted 20 years of service to education in our state; and

Whereas, as president of Elmhurst College, Dr. Frick



eliminated more than \$1 million in short-term debts in 1971 and has balanced the institution's budget each year; and

Whereas, Dr. Frick holds offices in the Federation of Independent Illinois Colleges and Universities, the Executives Breakfast Club of Oak Brook, the North Central Association of Colleges and Schools, and Associated Colleges of Illinois; and

Whereas, he established the Center for Business and Economics and the Deicke Center for Nursing Education, as well as a Division of Continuing Education with emphasis on the adult learner; and

Whereas, in addition to serving as first lady of Elmhurst and Findlay colleges, Ruth Hudson Frick is a member of the American Association of University Women, League of Women Voters, Elmhurst Hospital Guild, and the Elmhurst Symphony Orchestra Women's Auxiliary;

Whereas, she is an active tutor with the Laubach Literacy Program and is a member of the Board of Illinois Literacy, Inc.; Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim November 16, 1991, as IVAN E. AND RUTH H. FRICK DAY in Illinois in recognition of their lifelong interest in higher education.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-347

## LEUKEMIA SOCIETY TELEVENT WEEKEND

Whereas, leukemia and related diseases will strike 84,900 Americans this year and kill 47,500 of our fellow citizens throughout the nation, many of them children; and

Whereas, the Leukemia Society of America is a national, voluntary health agency dedicated to finding the causes of and cures for these life-threatening diseases through research; and

Whereas, "The Televant" carries the Society's public health education message to patients and their families coast to coast and is a primary source fund raiser for research; and

Whereas, advances made by Leukemia Society-sponsored scientists have doubled patients' survival rates over the past 20 years;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 3 and 4, 1991, as LEUKEMIA SOCIETY TELEVENT WEEKEND in Illinois and urge citizens to support this worthwhile cause.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-348

## WATER QUALITY AWARENESS WEEK

Whereas, citizens should be aware of the role of local

wastewater facilities and what local communities are doing to protect our water resources; and

Whereas, the following organizations are involved in the proper treatment and disposal of municipal and industrial wastewater in our state: Central States Water Pollution Control Association, Illinois Water Pollution Control Operators, Illinois Association of Wastewater Agencies, Lake Michigan Water Analysts, Northern Illinois Water Analysts, and Industrial Water and Waste Sewage Group; and

Whereas, members of these organizations plan to provide citizens with the opportunity to learn more about wastewater facilities by offering treatment plant tours and informative material and generating media coverage;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 15-21, 1991, as WATER QUALITY AWARENESS WEEK in Illinois and urge Illinois citizens to seek a better understanding of water treatment facilities.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-349

## WOMEN'S LEAGUE FOR CONSERVATIVE JUDAISM DAYS

Whereas, 1991 marks the 80th anniversary of the Conference of Jewish Women's Organizations; and

Whereas, the Women's League for Conservative Judaism is dedicated to the perpetuation of traditional Judaism in society through means of a living Judaism in the home, the Synagogue, and the community; and

Whereas, the league stresses Jewish ethical values and teachings as they apply to individuals, groups, and government; and

Whereas, the Women's League for Conservative Judaism has nearly 200,000 members in its 800 affiliated groups; and

Whereas, more than 300 of the league members will meet in Chicago October 11-14, 1991, for the National Board Meeting;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 11-14, 1991, as WOMEN'S LEAGUE FOR CONSERVATIVE JUDAISM DAYS in Illinois.

Issued by the Governor July 8, 1991.

Filed with the Secretary of State July 11, 1991.

## 91-350

## CITIZENS WITH DISABILITIES DAY

Whereas, Illinoisans with disabilities are entitled to the same rights and freedoms as nondisabled Illinoisans; and

Whereas, our state has been a leader in upholding the civil rights of persons with disabilities, through implementation of the Illinois Human Rights Act; and



Whereas, Illinois joins the rest of the nation in commemorating the first anniversary of the Americans with Disabilities Act (ADA). The act forbids discrimination against persons with disabilities in employment, public accommodations, transportation, or telecommunications; and

Whereas, Illinois will continue to help break the barriers that currently exist for people with disabilities and ensure enforcement of the ADA;

Therefore, I, Jim Edgar, Governor of the State of Illinois proclaim July 26, 1991, as CITIZENS WITH DISABILITIES DAY in Illinois in recognition and support of citizens' rights to the rewards of independence and equality.

Issued by the Governor July 9, 1991.

Filed with the Secretary of State July 11, 1991.

91-351

## DUNDEE SESQUICENTENNIAL DEPOT DAY

Whereas, during Dundee Township's celebration of its Sesquicentennial in 1985, it was suggested that a permanent structure be built to honor the occasion; and

Whereas, Fred Doederlein proposed building a depot along the bicycle path in East Dundee. This proposal was approved, and a Sesquicentennial Depot Committee was appointed; and

Whereas, community organizations, businesses, and citizens all worked together to raise money for the depot. They held numerous fund raisers including breakfasts, talent shows, auctions, bake sales, selling booths, and get-togethers; and

Whereas, the Sesquicentennial Depot progressed with the help of love, labor, and donations from numerous contributors; and

Whereas, the Sesquicentennial Depot was given to the Village of East Dundee and was completed with volunteer labor and funds from the village;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim June 26, 1991, as DUNDEE SESQUICENTENNIAL DEPOT DAY in Illinois in recognition of all the generous individuals and groups who worked to re-create the past and preserve memories for the future.

Issued by the Governor July 9, 1991.

Filed with the Secretary of State July 11, 1991.

91-352

## ELVIS A. PRESLEY MEMORIAL DAY/ELVIS A. PRESLEY MEMORIAL WEEK

Whereas, Elvis Presley revolutionized a new era in music, bringing countless hours of musical entertainment to the world; and

Whereas, his talent went beyond the entertainment field, for he was a great humanitarian whose generosity and love for his fellow man brought comfort to many; and

Whereas, Elvis Presley earned the distinction of being known as "The King of Rock and Roll." Countless numbers of our citizens mourned the death of the man who left memories of musical joy;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 16, 1991, as ELVIS A. PRESLEY MEMORIAL DAY and August 13-19, 1991, as ELVIS A. PRESLEY MEMORIAL WEEK in Illinois.

Issued by the Governor July 9, 1991.

Filed with the Secretary of State July 11, 1991.

91-353

## PARK LIVINGSTON DAY

Whereas, the Chicago Undergraduate Division of the University of Illinois, precursor of the University of Illinois at Chicago, first lit its own lamp of learning July 13, 1946, at Navy Pier; and

Whereas, Park Livingston was an exemplary lamplighter during that event 45 years ago and has played that role many times since; and

Whereas, Park Livingston has served as president and board member of the University's Board of Trustees for several terms during four decades; and

Whereas, Park Livingston guided the Chicago Undergraduate Division through legal and economic metamorphosis, which led to the emergence of the comprehensive University of Illinois at Chicago in 1965; and

Whereas, Park Livingston earned academic degrees at the campuses in Champaign-Urbana and Chicago both before and after his election to university governance; and

Whereas, today Park Livingston sees the completion of his vision of 45 years ago in the emergence of a University of Illinois in Chicago campus that offers a true urban mission including affordable tuition for first-rate higher education for thousands. This campus, born at Navy Pier, produces more minority health professionals than any other public university and offers students opportunities in a host of other professions and disciplines;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim July 13, 1991, as PARK LIVINGSTON DAY in Illinois.

Issued by the Governor July 9, 1991.

Filed with the Secretary of State July 11, 1991.

91-354

## HELP RETARDED CITIZENS DAYS

Whereas, the Illinois State Council of the Knights of Columbus members will conduct their 22nd annual fund drive October 25-26 to benefit our mentally retarded citizens; and



Whereas, the Illinois State Council of the Knights of Columbus has provided funds and personal assistance to allow youngsters to participate in the Special Olympics program; and Whereas, the council has provided more than 1.9 million dollars to build or reconstruct homes for the mentally retarded in all six Diocese of Illinois; and

Whereas, since the Illinois State Council of the Knights of Columbus initiated this program, 43 other states have activated similar campaigns to provide much needed financial assistance for the mentally retarded;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim October 25-26, 1991, as HELP RETARDED CITIZENS DAYS in Illinois and commend the Knights of Columbus for its generous efforts.

Issued by the Governor July 11, 1991.

Filed with the Secretary of State July 15, 1991.

#### 91-355

#### VOCATIONAL STUDENT ORGANIZATION WEEK

Whereas, the proper education of today's youth should be a concern of all Americans; and

Whereas, vocational student organizations are dedicated to the advancement of proper education, training, and development of America's youth; and

Whereas, for the past 14 years, organizations such as the Illinois Coordinating Council for Vocational Student Organizations (ICCVSO) have advanced the awareness of the importance of vocational student organizations as an integral part of the educational curriculum; and

Whereas, vocational student organizations in Illinois include the Business Professionals of America, Distributive Education Clubs of America (DECA), Future Business Leaders of America (FBLA), Future Homemakers of America/Home Economics Related Occupations (FHA/HERO), Health Occupations Students of America (HOSA), Illinois Association FFA (FFA), Illinois Postsecondary Agricultural Student Organization (PAS), Phi Beta Lambda (PBL), Technology Student Association (TSA), and Vocational Industrial Clubs of America (VICA);

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim September 29-October 5, 1991, as VOCATIONAL STUDENT ORGANIZATION WEEK in Illinois, in recognition of the contributions these organizations make to the education of our youth.

Issued by the Governor July 11, 1991.

Filed with the Secretary of State July 15, 1991.

#### 91-356

#### WAYS-LAKES WEEKEND

Whereas, the Ways-Lakes family will be holding its 27th annual family reunion in Oak Brook August 30-September 31; and

Whereas, the reunion is expected to draw more than 500 members of the Ways-Lakes families from areas throughout the nation; and

Whereas, the Ways-Lakes family reunion focuses on the importance of family and the strength a family passes to its members in times of happiness; as well as sorrow;

Therefore, I, Jim Edgar, Governor of the State of Illinois, proclaim August 30-September 1, 1991, as WAYS-LAKES WEEKEND in Illinois.

Issued by the Governor July 11, 1991.

Filed with the Secretary of State July 15, 1991.



# JCAR - Joint Committee on Administrative Rules

## ACTION CODES

|  |  |
|--|--|
| A - Adopted Rule                         | P - Proposed Rule                      |
| AR - Adopted Repealer                    | PF - Prohibited Filing Ordered by JCAR |
| C - Notice of Corrections                | PP - Peremptory or Court ordered Rules |
| CC - Codification Changes                | PR - Proposed Repealer                 |
| E - Emergency Rule                       | R - Refusal to meet JCAR objection     |
| ER - Emergency Repealer                  | RC - Statement of Recommendation       |
| M - Modification to meet JCAR objections | S - Suspension ordered by JCAR         |
| O - JCAR Statement of Objections         | W - Withdrawal to meet JCAR objections |

### EXAMPLE:

#### AGRICULTURE, DEPARTMENT OF

|                      |   |             |                 |             |             |
|----------------------|---|-------------|-----------------|-------------|-------------|
| 8 Ill. Adm. Code 285 | Ill. Grain Insurance Act (P-18048/85; A-6818) |             |                 |             |             |
| TITLE                | PART  | ACTION CODE | PAGE NUMBER     | ACTION CODE | PAGE NUMBER |
|                      |   |             | PREVIOUS VOLUME |             |             |

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

#### ABANDONED MINED LANDS RECLAMATION COUNCIL

62 Ill. Adm. Code 2501 Abandoned Mined Lands Reclamation (P-141; A-6513)

#### AGING, DEPARTMENT ON

89 Ill. Adm. Code 240 Community Care Program (E-2838; A-10351) (P-18635/90; A-10351)

#### AGRICULTURE, DEPARTMENT OF

8 Ill. Adm. Code 255 Agricultural Facilities (E-128)  
 8 Ill. Adm. Code 270 Ill. State Fair & DuQuoin State Fair, Non-Fair Space Rental & the General Operation of the State Fairgrounds (P-10965/90; A-455)  
 8 Ill. Adm. Code 125 Meat & Poultry Inspection Act (PP-620; W-1574) (P-1583) (PP-3117) (PP-8714) (P-1583; A-8801)  
 2 Ill. Adm. Code 700 Organizational Chart, Description, Rulemaking Procedure, & Programs (A-6135)  
 8 Ill. Adm. Code 290 Standardbred & Thoroughbred Horse Breeding & Racing Programs (P-19087/90; A-5207)

#### ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

77 Ill. Adm. Code 2030 Award & Monitoring of Funds (P-9083)  
 77 Ill. Adm. Code 2031 Award Criteria & Procedure (PR-9149)  
 77 Ill. Adm. Code 2030 Fiscal & Programmatic Requirements (PR-9153)  
 77 Ill. Adm. Code 2058 Licensure of Alcoholism & Substance Abuse Treatment, Intervention & Research Programs (P-6457/90; A-2597) (P-8837)  
 77 Ill. Adm. Code 2090 Subacute Alcoholism & Substance Abuse Treatment Services (P-9785; E-10222)  
 77 Ill. Adm. Code 2032 Suspension & Termination of Financial Assistance (PR-9218)

#### ASBESTOS ABATEMENT AUTHORITY, ILLINOIS

2 Ill. Adm. Code 2650 Organization, rulemaking & Public Information (A-2660)

#### ATTORNEY GENERAL

14 Ill. Adm. Code 475 Motor Vehicle Advertising (P-6343)

#### AUDITOR GENERAL

74 Ill. Adm. Code 420 Code of Regs. (P-15645/90; A-3429)

#### BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 Ill. Adm. Code 307 Acquisition of Former Main Banking Premises or Branches of Eligible Depository Institutions (P-3611)  
 38 Ill. Adm. Code 354 Administration of Collateral Obtained in Collection of a Debt (P-3614)  
 38 Ill. Adm. Code 397 Corporate Fiduciary Receivership Account (P-15181/90; A-167)  
 38 Ill. Adm. Code 350 Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-2053)

#### CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law (P-2989/90; A-4109)

#### CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

80 Ill. Adm. Code 303 Conditions of Employment (P-4801) (E-5076) (P-17399/90; A-5214)  
 89 Ill. Adm. Code 1300 Day Cars (P-5141)  
 80 Ill. Adm. Code 310 Pay Plan (PP-663) (P-14657/90; A-3296) (P-15186/90; A-4401) (P-4497; W-5920) (PP-5100) (P-5147) (PP-5465) (P-6364) (E-10485)  
 44 Ill. Adm. Code 5030 Personal Use of State Telephones (P-1203; A-8843)  
 44 Ill. Adm. Code 5040 State Vehicles & Garage (P-17403/90; A-7553)

#### CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 431 Confidentiality of Personal Information of Persons Served by the Dept. (P-4303/90; A-24)  
 89 Ill. Adm. Code 335 Relative Home Placement (P-8415)  
 89 Ill. Adm. Code 300 Reports of Child Abuse and Neglect (P-8735)

#### COMMERCE COMMISSION, ILLINOIS

92 Ill. Adm. Code 1311 Commodity Group Definitions (P-4195)  
 92 Ill. Adm. Code 1535 Crossings of Rail Carriers & Highways (P-18177/90; A-10920)  
 83 Ill. Adm. Code 756 Dual Party Relay Service (P-18675/90; A-5618)  
 83 Ill. Adm. Code 280 Procedures for Gas, Electric, Water & Sanitary Sewer Utilities Governing Eligibility for Service, Deposits, Payment Practices & Discontinuance of Service (G.O. #172) (P-9801)  
 83 Ill. Adm. Code 220 Reports of Accidents by Telecommunications Carriers & by Fixed Public Util. lies Other Than Pipelines Transporting Liquids (P-15653/90; A-5056)  
 83 Ill. Adm. Code 780 Right-of-Way Precondemnation Negotiations by Telephone Companies (P-13100/90; A-5062)  
 83 Ill. Adm. Code 285 Standard Filing Requirements for Electric, Gas, Water & Sewer Utilities & Telecommunications Carriers in Filing for an Increase in Rates (P-9807)  
 83 Ill. Adm. Code 730 Standards of Service for Local Exchange Telecommunications Carriers (P-1627)  
 83 Ill. Adm. Code 730 Standards of Service for Telephone Utilities (G.O. 197) (PR-1650)  
 83 Ill. Adm. Code 755 Telecommunications Access for the Hearing & Voice Impaired (P-19109/90; A-5624)  
 83 Ill. Adm. Code 757 Telephone Assistance Programs (PR-4803; ER-5082; RC-5111)  
 92 Ill. Adm. Code 1270 Transfers of Licenses (P-16170/90; A-10925)  
 83 Ill. Adm. Code 710 Uniform System of Accounts for Telecommunications Carriers (P-20565/90; A-8205)  
 92 Ill. Adm. Code 1308 Unlawful Operations (P-8097)

#### COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

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JULY 26, 1991

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| TYPE OF RULEMAKING |                                 | ACTION CODES |                                 |
|--------------------|---------------------------------|--------------|---------------------------------|
| am                 | = amendment to existing Section | A            | = Adopted rule                  |
| cc                 | = codification changes          | C            | = Correction                    |
| n                  | = new Section                   | CC           | = Codification Changes          |
| r                  | = repeal of existing Section    | E            | = Emergency rule                |
| rc                 | = reclassified                  | F            | = Failure to Remedy             |
| #                  | = renumbered                    | M            | = Modification                  |
|                    |                                 | O            | = ICAR Objection                |
|                    |                                 | P            | = Proposed rule                 |
|                    |                                 | PF           | = Prohibited Filing             |
|                    |                                 | PP           | = Peremptory rule               |
|                    |                                 | R            | = Refusal to Modify or Withdraw |
|                    |                                 | RC           | = ICAR Recommendation           |
|                    |                                 | S            | = Suspended rule                |
|                    |                                 | W            | = Withdrawal of Proposed rule   |



| TITLE 1  |    | TITLE 8 (CONT'D) |   | TITLE 11 |    | TITLE 14 |    |
|----------|----|------------------|---|----------|----|----------|----|
| 100.100  | am | 2650.410         | n | 125.310  | am | 1325.120 | am |
| 100.110  | am | 2650.II.A        | n | 125.320  | am | 1408.90  | am |
| 100.150  | am | 2650.II.B        | n | 125.330  | am | 1413.48  | am |
| 100.180  | am |                  |   | 125.340  | am | 1424.140 | n  |
| 100.220  | am |                  |   | 125.350  | am | 1424.355 | am |
| 100.230  | am |                  |   | 125.360  | am |          |    |
| 100.240  | am |                  |   | 125.370  | am |          |    |
| 100.260  | am |                  |   | 125.380  | am |          |    |
| 100.270  | am |                  |   | 125.390  | am |          |    |
| 100.280  | am |                  |   | 125.400  | am |          |    |
| 100.310  | am |                  |   | 125.410  | am |          |    |
| 100.335  | am |                  |   | 255.50   | am |          |    |
| 100.340  | am |                  |   | 270.261  | am |          |    |
| 100.350  | am |                  |   | 290.110  | am |          |    |
| 100.400  | am |                  |   |          |    |          |    |
| 100.450  | am |                  |   |          |    |          |    |
| 100.500  | am |                  |   |          |    |          |    |
| 100.510  | am |                  |   |          |    |          |    |
| 100.545  | am |                  |   |          |    |          |    |
| 100.550  | am |                  |   |          |    |          |    |
| 100.640  | am |                  |   |          |    |          |    |
| 100.660  | am |                  |   |          |    |          |    |
| 100.670  | am |                  |   |          |    |          |    |
| 100.680  | am |                  |   |          |    |          |    |
| 100.735  | am |                  |   |          |    |          |    |
| 100.740  | am |                  |   |          |    |          |    |
| 100.900  | am |                  |   |          |    |          |    |
| 100.1010 | am |                  |   |          |    |          |    |
| 100.1020 | am |                  |   |          |    |          |    |
| 100.1100 | am |                  |   |          |    |          |    |
| 100.1150 | am |                  |   |          |    |          |    |
| 100.1200 | am |                  |   |          |    |          |    |
| 100.1210 | am |                  |   |          |    |          |    |
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| 700.40   | am | 2650.410         | n | 404.35   | n  | 475.110  | n  |
| 700.100  | am |                  |   | 405.170  | r  | 475.210  | n  |
| 700.130  | am |                  |   | 405.180  | a  | 475.220  | n  |
| 700.140  | am |                  |   | 405.250  | n  | 475.230  | n  |
| 700.150  | am |                  |   | 416.80   | r  | 475.240  | n  |
| 2025.120 | am |                  |   | 417.80   | r  | 475.250  | n  |
| 2375.110 | am |                  |   | 418.100  | r  | 475.260  | n  |
| 2650.10  | n  |                  |   | 419.90   | r  | 475.310  | n  |
| 2650.20  | n  |                  |   | 421.40   | am | 475.320  | n  |
| 2650.30  | n  |                  |   | 421.80   | am | 475.330  | n  |
| 2650.40  | n  |                  |   | 421.100  | am | 475.340  | n  |
| 2650.50  | n  |                  |   | 433.35   | am | 475.350  | n  |
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| 2650.100 | n  |                  |   | 438.80   | r  | 475.370  | n  |
| 2650.200 | n  |                  |   | 438.90   | am | 475.380  | n  |
| 2650.205 | n  |                  |   | 440.10   | n  | 475.390  | n  |
| 2650.210 | n  |                  |   | 440.20   | n  | 475.410  | n  |
| 2650.220 | n  |                  |   | 440.30   | am | 475.420  | n  |
| 2650.300 | n  |                  |   | 440.40   | am | 475.510  | n  |
| 2650.310 | n  |                  |   | 440.50   | n  | 475.520  | n  |
| 2650.311 | n  |                  |   | 440.60   | n  | 475.530  | n  |
| 2650.312 | n  |                  |   | 440.70   | n  | 475.540  | n  |
| 2650.313 | n  |                  |   | 440.80   | n  | 475.550  | n  |
| 2650.314 | n  |                  |   | 440.90   | n  | 475.560  | n  |
| 2650.320 | n  |                  |   | 440.100  | n  | 475.570  | n  |
| 2650.330 | n  |                  |   | 440.110  | n  | 475.580  | n  |
| 2650.340 | n  |                  |   | 440.120  | n  | 475.590  | n  |
| 2650.350 | n  |                  |   | 440.130  | n  | 475.610  | n  |
| 2650.400 | n  |                  |   | 440.140  | n  | 475.620  | n  |
|          |    |                  |   | 440.150  | n  | 475.630  | n  |
|          |    |                  |   | 502.76   | am | 475.640  | n  |
|          |    |                  |   | 509.100  | am | 475.710  | n  |
|          |    |                  |   | 720.100  | am | 475.720  | n  |
|          |    |                  |   | 1312.265 | am | 510.10   | am |
|          |    |                  |   |          |    | 510.20   | am |
|          |    |                  |   |          |    | 510.40   | am |
|          |    |                  |   |          |    | 510.50   | am |
|          |    |                  |   |          |    | 510.60   | am |
|          |    |                  |   |          |    | 510.70   | am |
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|          |    |                  |   |          |    | 510.85   | n  |
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|          |    |                  |   |          |    | 510.120  | n  |
|          |    |                  |   |          |    | 510.130  | n  |
|          |    |                  |   |          |    | 510.140  | n  |
|          |    |                  |   |          |    | 510.150  | n  |
|          |    |                  |   |          |    | 510.160  | n  |
|          |    |                  |   |          |    | 510.170  | n  |
|          |    |                  |   |          |    | 510.175  | n  |
|          |    |                  |   |          |    | 510.180  | n  |
|          |    |                  |   |          |    | 510.185  | n  |
|          |    |                  |   |          |    | 510.190  | n  |
|          |    |                  |   |          |    | 510.195  | n  |
|          |    |                  |   |          |    | 510.200  | n  |
|          |    |                  |   |          |    | 510.205  | n  |
|          |    |                  |   |          |    | 520.315  | n  |



















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| 615.501 | n | (P-10303) | 616.604  | n  | (P-9836)                      |  |  |
| 615.502 | n | (P-10303) | 616.605  | n  | (P-9836)                      |  |  |
| 615.601 | n | (P-10303) | 616.621  | n  | (P-9836)                      |  |  |
| 615.602 | n | (P-10303) | 616.622  | n  | (P-9836)                      |  |  |
| 615.603 | n | (P-10303) | 616.623  | n  | (P-9836)                      |  |  |
| 615.604 | n | (P-10303) | 616.624  | n  | (P-9836)                      |  |  |
| 615.604 | n | (P-10303) | 616.625  | n  | (P-9836)                      |  |  |
| 615.621 | n | (P-10303) | 616.701  | n  | (P-9836)                      |  |  |
| 615.622 | n | (P-10303) | 616.702  | n  | (P-9836)                      |  |  |
| 615.623 | n | (P-10303) | 616.703  | n  | (P-9836)                      |  |  |
| 615.701 | n | (P-10303) | 616.704  | n  | (P-9836)                      |  |  |
| 615.702 | n | (P-10303) | 616.705  | n  | (P-9836)                      |  |  |
| 615.703 | n | (P-10303) | 616.721  | n  | (P-9836)                      |  |  |
| 615.704 | n | (P-10303) | 616.722  | n  | (P-9836)                      |  |  |
| 615.705 | n | (P-10303) | 616.723  | n  | (P-9836)                      |  |  |
| 615.721 | n | (P-10303) | 616.724  | n  | (P-9836)                      |  |  |
| 615.722 | n | (P-10303) | 616.725  | n  | (P-9836)                      |  |  |
| 615.723 | n | (P-10303) | 617.101  | n  | (P-9882)                      |  |  |
| 615.724 | n | (P-10303) | 617.102  | n  | (P-9882)                      |  |  |
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| 616.102 | n | (P-9836)  | 620.110  | n  | (P-4234)                      |  |  |
| 616.104 | n | (P-9836)  | 620.115  | n  | (P-4234)                      |  |  |
| 616.105 | n | (P-9836)  | 620.125  | n  | (P-4234)                      |  |  |
| 616.201 | n | (P-9836)  | 620.130  | n  | (P-4234)                      |  |  |
| 616.202 | n | (P-9836)  | 620.135  | n  | (P-4234)                      |  |  |
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| 616.204 | n | (P-9836)  | 620.210  | n  | (P-4234)                      |  |  |
| 616.205 | n | (P-9836)  | 620.220  | n  | (P-4234)                      |  |  |
| 616.206 | n | (P-9836)  | 620.230  | n  | (P-4234)                      |  |  |
| 616.207 | n | (P-9836)  | 620.240  | n  | (P-4234)                      |  |  |
| 616.208 | n | (P-9836)  | 620.250  | n  | (P-4234)                      |  |  |
| 616.209 | n | (P-9836)  | 620.260  | n  | (P-4234)                      |  |  |
| 616.210 | n | (P-9836)  | 620.301  | n  | (P-4234)                      |  |  |
| 616.211 | n | (P-9836)  | 620.302  | n  | (P-4234)                      |  |  |
| 616.301 | n | (P-9836)  | 620.305  | n  | (P-4234)                      |  |  |
| 616.302 | n | (P-9836)  | 620.310  | n  | (P-4234)                      |  |  |
| 616.302 | n | (P-9836)  | 620.401  | n  | (P-4234)                      |  |  |
| 616.304 | n | (P-9836)  | 620.410  | n  | (P-4234)                      |  |  |
| 616.305 | n | (P-9836)  | 620.420  | n  | (P-4234)                      |  |  |
| 616.306 | n | (P-9836)  | 620.430  | n  | (P-4234)                      |  |  |
| 616.307 | n | (P-9836)  | 620.440  | n  | (P-4234)                      |  |  |
| 616.401 | n | (P-9836)  | 620.450  | n  | (P-4234)                      |  |  |
| 616.402 | n | (P-9836)  | 620.505  | n  | (P-4234)                      |  |  |
| 616.421 | n | (P-9836)  | 620.510  | n  | (P-4234)                      |  |  |
| 616.422 | n | (P-9836)  | 620.601  | n  | (P-4234)                      |  |  |
| 616.423 | n | (P-9836)  | 620.605  | n  | (P-4234)                      |  |  |
| 616.424 | n | (P-9836)  | 620.610  | n  | (P-4234)                      |  |  |
| 616.425 | n | (P-9836)  | 620.615  | n  | (P-4234)                      |  |  |
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| 616.442 | n | (P-9836)  | 620.Ap.B | n  | (P-4234)                      |  |  |
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| 616.461 | n | (P-9836)  | 703.Ap.A | am | (P-2376; A-9616)              |  |  |
| 616.462 | n | (P-9836)  | 720.110  | am | (P-5980)                      |  |  |
| 616.463 | n | (P-9836)  | 720.111  | am | (P-2066; A-9323) (P-5980)     |  |  |
| 616.464 | n | (P-9836)  |          |    | (P-13925/90; A-7934)          |  |  |
| 616.501 | n | (P-9836)  | 721.104  | am | (P-2075; A-9332) (P-6001)     |  |  |
| 616.502 | n | (P-9836)  | 721.106  | am | (P-2075; A-9332)              |  |  |
| 616.601 | n | (P-9836)  | 721.110  | am | (P-13938/90; A-7950)          |  |  |
| 616.602 | n | (P-9836)  | 721.111  | am | (P-2075) (P-13938/90; A-7950) |  |  |

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721.124 am

721.131 am

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721.133 am

721.135 n

721.Ap. C

721.Ap. G

721.Ap. H

721.Ap. I

722.111 am

722.134 am

723.113 am

724.115 am

724.173 am

724.177 am

724.290 am

724.321 am

724.329 am

724.356 am

724.381 am

724.401 am

724.412 am

724.416 am

724.670 am

724.671 am

724.672 am

724.673 am

724.674 am

724.675 am

724.930 n

724.931 n

724.932 n

724.933 n

724.934 n

724.935 n

724.936 n

724.950 n

724.951 n

724.952 n

724.953 n

724.954 n

724.955 n

724.956 n

724.957 n

724.958 n

724.959 n

724.960 n

724.961 n

724.962 n

724.963 n

724.964 n

724.965 n

725.101 am

725.113 am

725.115 am

725.177 am

725.178 am

725.290 am

725.329 am

725.356 am

725.381 am

725.412 am

725.416 am

725.540 am

725.541 n

725.542 n

725.543 n

725.544 n

725.545 n

725.930 n

725.931 n

725.932 n

725.933 n

725.934 n

725.935 n

725.950 n

725.951 n

725.952 n

725.953 n

725.954 n

725.955 n

725.956 n

725.957 n

725.958 n

725.959 n

725.960 n

725.961 n

725.962 n

725.963 n

725.964 n

726.132 r

728.101 am

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728.105 am

728.107 am

728.108 r

728.109 am

728.135 n

728.140 am

728.141 am

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728.143 am

728.Ap.D

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728.Tb.A

728.Tb.B

728.Tb.C

728.Tb.D

728.Tb.E

731.113 am

731.140 am

731.191 am

811.101 am

811.301 am

811.401 am

814.104 am

814.601 n

(P-2075; A-9332) (P-13925/90; A-7934)

(P-2075; A-9332)

(P-2075; A-9332) (P-13925/90; A-7934)

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| TITLE_35 (CONT'D) |   |          |          |
|-------------------|---|----------|----------|
| 814.602           | n | (P-3155) | 817.414  |
| 814.701           | n | (P-3155) | 817.415  |
| 814.702           | n | (P-3155) | 817.416  |
| 814.801           | n | (P-3155) | 848.101  |
| 814.901           | n | (P-4604) | 848.102  |
| 814.902           | n | (P-4604) | 848.103  |
| 814.920           | n | (P-4604) | 848.104  |
| 814.921           | n | (P-4604) | 848.105  |
| 814.930           | n | (P-4604) | 848.201  |
| 814.931           | n | (P-4604) | 848.202  |
| 816.101           | n | (P-4616) | 848.203  |
| 816.102           | n | (P-4616) | 848.204  |
| 816.103           | n | (P-4616) | 848.205  |
| 816.104           | n | (P-4616) | 848.301  |
| 816.105           | n | (P-4616) | 848.302  |
| 816.106           | n | (P-4616) | 848.303  |
| 816.107           | n | (P-4616) | 848.304  |
| 816.108           | n | (P-4616) | 848.305  |
| 816.109           | n | (P-4616) | 848.306  |
| 816.110           | n | (P-4616) | 848.400  |
| 816.111           | n | (P-4616) | 848.401  |
| 816.112           | n | (P-4616) | 848.402  |
| 816.113           | n | (P-4616) | 848.403  |
| 816.114           | n | (P-4616) | 848.404  |
| 816.115           | n | (P-4616) | 848.405  |
| 816.116           | n | (P-4616) | 848.406  |
| 816.117           | n | (P-4616) | 848.407  |
| 816.118           | n | (P-4616) | 848.408  |
| 816.119           | n | (P-4616) | 848.410  |
| 816.120           | n | (P-4616) | 848.413  |
| 816.121           | n | (P-4616) | 848.415  |
| 816.122           | n | (P-4616) | 848.501  |
| 816.123           | n | (P-4616) | 848.502  |
| 816.124           | n | (P-4616) | 848.503  |
| 816.101           | n | (P-4616) | 848.504  |
| 817.101           | n | (P-3173) | 848.505  |
| 817.102           | n | (P-3173) | 848.507  |
| 817.103           | n | (P-3173) | 848.508  |
| 817.104           | n | (P-3173) | 848.509  |
| 817.105           | n | (P-3173) | 848.601  |
| 817.201           | n | (P-3173) | 848.602  |
| 817.202           | n | (P-3173) | 848.603  |
| 817.203           | n | (P-3173) | 848.604  |
| 817.204           | n | (P-3173) | 848.605  |
| 817.301           | n | (P-3173) | 848.606  |
| 817.302           | n | (P-3173) | 848.Ap.A |
| 817.303           | n | (P-3173) | Il. A    |
| 817.304           | n | (P-3173) | Il. B    |
| 817.305           | n | (P-3173) | Il. C    |
| 817.306           | n | (P-3173) | Il. D    |
| 817.401           | n | (P-3173) | Il. E    |
| 817.402           | n | (P-3173) | Il. F    |
| 817.403           | n | (P-3173) | 859.101  |
| 817.404           | n | (P-3173) | 859.102  |
| 817.405           | n | (P-3173) | 859.201  |
| 817.406           | n | (P-3173) | 859.202  |
| 817.407           | n | (P-3173) | 859.203  |
| 817.408           | n | (P-3173) | 859.204  |
| 817.409           | n | (P-3173) | 859.205  |
| 817.410           | n | (P-3173) | 859.301  |
| 817.411           | n | (P-3173) | 859.302  |
| 817.412           | n | (P-3173) | 859.303  |
| 817.413           | n | (P-3173) | 870.206  |
|                   | n |          | am       |

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|----------|----|--|--------|---|----------|
| 110.90   | am | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.40 | r | (P-2899) |
| 110.91   | n  | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.50 | r | (P-2899) |
| 110.92   | n  | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.60 | r | (P-2899) |
| 110.93   | n  | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.70 | r | (P-2899) |
| 110.100  | am | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.80 | r | (P-2899) |
| 110.105  | n  | (P-10985/90; O-19076/90; R-3127; A-4410) | 918.90 | r | (P-2899) |
| 110.130  | am | (P-10985/90; O-19076/90; R-3127; A-4410) | 919.00 | r | (P-2899) |
| 120.115  | am | (P-9282)                                 | 919.10 | r | (P-2899) |
| 350.205  | am | (P-9282)                                 | 919.20 | r | (P-2899) |
| 350.206  | am | (P-9282)                                 | 919.30 | r | (P-2899) |
| 360.102  | am | (P-9282)                                 | 919.40 | r | (P-2899) |
| 360.103  | am | (P-9282)                                 | 919.50 | r | (P-2899) |
| 360.104  | am | (P-9282)                                 | 919.60 | r | (P-2899) |
| 360.106  | am | (P-9282)                                 | 919.70 | r | (P-2899) |
| 360.202  | am | (P-9282)                                 | 919.80 | r | (P-2899) |
| 360.302  | am | (P-9282)                                 | 919.90 | r | (P-2899) |
| 360.306  | am | (P-9282)                                 | 920.00 | r | (P-2899) |
| 360.307  | am | (P-9282)                                 | 920.10 | r | (P-2899) |
| 360.308  | am | (P-9282)                                 | 920.20 | r | (P-2899) |
| 360.309  | am | (P-9282)                                 | 920.30 | r | (P-2899) |
| 360.310  | am | (P-9282)                                 | 920.40 | r | (P-2899) |
| 360.311  | am | (P-9282)                                 | 920.50 | r | (P-2899) |
| 360.401  | am | (P-9282)                                 | 920.60 | r | (P-2899) |
| 360.501  | am | (P-9282)                                 | 920.70 | r | (P-2899) |
| 360.502  | am | (P-9282)                                 | 920.80 | r | (P-2899) |
| 360.503  | am | (P-9282)                                 | 920.90 | r | (P-2899) |
| 360.504  | am | (P-9282)                                 | 921.00 | r | (P-2899) |
| 360.505  | am | (P-9282)                                 | 921.10 | r | (P-2899) |
| 360.506  | am | (P-9282)                                 | 921.20 | r | (P-2899) |
| 360.507  | am | (P-9282)                                 | 921.30 | r | (P-2899) |
| 360.601  | am | (P-9282)                                 | 921.40 | r | (P-2899) |
| 360.602  | am | (P-9282)                                 | 921.50 | r | (P-2899) |
| 360.603  | am | (P-9282)                                 | 921.60 | r | (P-2899) |
| 360.604  | am | (P-9282)                                 | 921.70 | r | (P-2899) |
| 360.605  | am | (P-9282)                                 | 921.80 | r | (P-2899) |
| 360.606  | am | (P-9282)                                 | 921.90 | r | (P-2899) |
| 360.701  | am | (P-9282)                                 | 922.00 | r | (P-2899) |
| 360.801  | am | (P-9282)                                 | 922.10 | r | (P-2899) |
| 360.802  | am | (P-9282)                                 | 922.20 | r | (P-2899) |
| 360.803  | am | (P-9282)                                 | 922.30 | r | (P-2899) |
| 360.901  | am | (P-9282)                                 | 922.40 | r | (P-2899) |
| 360.902  | am | (P-9282)                                 | 922.50 | r | (P-2899) |
| 360.903  | am | (P-9282)                                 | 922.60 | r | (P-2899) |
| 360.904  | am | (P-9282)                                 | 922.70 | r | (P-2899) |
| 360.905  | am | (P-9282)                                 | 922.80 | r | (P-2899) |
| 360.1101 | am | (P-9282)                                 | 922.90 | r | (P-2899) |
| 754.Ex.C | am | (P-15238/90; A-4458)                     | 923.00 | r | (P-2899) |
| 909.50   | am | (P-8766)                                 | 923.10 | r | (P-2899) |
| 918.10   | r  | (P-2899)                                 | 923.20 | r | (P-2899) |
| 918.20   | r  | (P-2899)                                 | 923.30 | r | (P-2899) |
| 918.30   | r  | (P-2899)                                 | 923.40 | r | (P-2899) |

TITLE 50

754.Ex.C

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|---------|----|----------------------|----|----------------------------------|---------|----|-------------------------------|------------|----|----------|
| 101.30  | am | (P-3386; A-9316)     | am | (P-17744/90; A-8882)             | 240.10  | am | (P-20140/90; W-5110) (P-8448) | 240.670    | r  | (P-8448) |
| 106.25  | am | (P-14674/90; A-1555) | n  | (P-17744/90; A-8882)             | 240.10  | n  | (P-8448)                      | 240.670    | re | (A-8566) |
| 106.45  | am | (P-14674/90; A-1555) | am | (E-18100/90; O-21140/90; R-1171) | 240.200 | n  | (P-8448)                      | 240.680    | r  | (P-8448) |
| 108.10  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.210 | n  | (P-8448)                      | 240.680    | re | (A-8566) |
| 108.20  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.210 | r  | (P-8448)                      | 240.700    | n  | (P-8448) |
| 108.30  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.220 | r  | (P-8448)                      | 240.710    | n  | (P-8448) |
| 108.40  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.230 | re | (A-8566)                      | 240.720    | re | (A-8566) |
| 108.50  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.230 | n  | (P-8448)                      | 240.720    | re | (A-8566) |
| 108.60  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.240 | n  | (P-8448)                      | 240.730    | n  | (P-8448) |
| 108.70  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.240 | n  | (P-8448)                      | 240.740    | n  | (P-8448) |
| 108.80  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.250 | n  | (P-8448)                      | 240.750    | n  | (P-8448) |
| 108.90  | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.250 | re | (A-8566)                      | 240.760    | n  | (P-8448) |
| 108.100 | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.250 | r  | (P-8448)                      | 240.770    | n  | (P-8448) |
| 108.110 | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.255 | re | (A-8566)                      | 240.780    | n  | (P-8448) |
| 108.120 | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.260 | re | (P-8448)                      | 240.790    | n  | (P-8448) |
| 108.130 | am | (P-16718/90; A-6122) | r  | (P-17744/90; A-8882)             | 240.260 | r  | (P-8448)                      | 240.805    | re | (A-8566) |
| 108.140 | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.270 | r  | (P-8448)                      | 240.810    | re | (A-8566) |
| 108.150 | am | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.280 | r  | (P-8448)                      | 240.820    | re | (A-8566) |
| 108.160 | am | (P-16718/90; A-6122) | r  | (E-18100/90; O-21140/90; R-1171) | 240.300 | n  | (P-8448)                      | 240.830    | re | (A-8566) |
| 108.200 | n  | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.305 | re | (A-8566)                      | 240.840    | re | (A-8566) |
| 108.210 | n  | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.310 | re | (A-8566)                      | 240.850    | re | (A-8566) |
| 108.300 | n  | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.310 | n  | (P-8448)                      | 240.860    | re | (A-8566) |
| 108.400 | n  | (P-16718/90; A-6122) | am | (E-18100/90; O-21140/90; R-1171) | 240.320 | re | (A-8566)                      | 240.870    | re | (A-8566) |
| 108.400 | n  | (P-16718/90; A-6122) | n  | (E-18100/90; O-21140/90; R-1171) | 240.320 | n  | (P-8448)                      | 240.880    | re | (A-8566) |
| 110.20  | am | (P-20138/90; A-8560) | am | (E-18100/90; O-21140/90; R-1171) | 240.330 | n  | (P-8448)                      | 240.890    | re | (A-8566) |
| 111.00  | am | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.330 | re | (P-8448)                      | 240.905    | re | (A-8566) |
| 111.100 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.330 | n  | (P-8448)                      | 240.910    | re | (A-8566) |
| 111.110 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.340 | re | (P-8448)                      | 240.920    | re | (A-8566) |
| 111.115 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.340 | re | (P-8448)                      | 240.930    | re | (A-8566) |
| 111.120 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.350 | re | (A-8566)                      | 240.940    | re | (A-8566) |
| 111.125 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.350 | n  | (P-8448)                      | 240.950    | re | (A-8566) |
| 111.130 | n  | (P-14671/90; A-1511) | r  | (P-17744/90; A-8882)             | 240.360 | re | (A-8566)                      | 240.960    | re | (A-8566) |
| 111.135 | n  | (P-14671/90; A-1511) | n  | (P-17744/90; A-8882)             | 240.360 | n  | (P-8448)                      | 240.970    | re | (A-8566) |
| 111.140 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.370 | re | (A-8566)                      | 240.980    | re | (A-8566) |
| 111.145 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.370 | n  | (P-8448)                      | 240.985    | re | (A-8566) |
| 111.150 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.380 | n  | (P-8448)                      | 240.990    | re | (A-8566) |
| 111.200 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.390 | n  | (P-8448)                      | 240.995    | re | (A-8566) |
| 111.205 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.395 | n  | (P-8448)                      | 240.1200   | re | (A-8566) |
| 111.210 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.410 | r  | (P-20140/90; W-5110) (P-8448) | 240.1205   | re | (A-8566) |
| 111.215 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.410 | n  | (P-20140/90; W-5110) (P-8448) | 240.1210   | re | (A-8566) |
| 111.220 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.420 | r  | (P-20140/90; W-5110) (P-8448) | 240.1220   | re | (A-8566) |
| 111.225 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.420 | n  | (P-20140/90; W-5110) (P-8448) | 240.1230   | re | (A-8566) |
| 111.230 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.430 | r  | (P-20140/90; W-5110) (P-8448) | 240.1240   | re | (A-8566) |
| 111.235 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.430 | n  | (P-20140/90; W-5110) (P-8448) | 240.1250   | re | (A-8566) |
| 111.240 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.440 | n  | (P-20140/90; W-5110) (P-8448) | 240.1260   | re | (A-8566) |
| 111.300 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.450 | n  | (P-20140/90; W-5110) (P-8448) | 240.1270   | re | (A-8566) |
| 111.305 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.460 | n  | (P-20140/90; W-5110) (P-8448) | 240.1300   | re | (A-8566) |
| 111.310 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.470 | n  | (P-20140/90; W-5110) (P-8448) | 240.1305   | re | (A-8566) |
| 111.315 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.510 | r  | (P-8448)                      | 240.1310   | re | (A-8566) |
| 111.320 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.520 | n  | (P-8448)                      | 240.1320   | re | (A-8566) |
| 111.325 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.600 | n  | (P-8448)                      | 240.1330   | re | (A-8566) |
| 111.330 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.610 | n  | (P-8448)                      | 240.1340   | re | (A-8566) |
| 111.335 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.610 | n  | (P-8448)                      | 240.1350   | re | (A-8566) |
| 111.340 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.620 | n  | (P-8448)                      | 240.1360   | re | (A-8566) |
| 111.345 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.630 | n  | (P-8448)                      | 240.1370   | re | (A-8566) |
| 111.350 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.630 | n  | (P-8448)                      | 240.1380   | re | (A-8566) |
| 111.355 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.630 | n  | (P-8448)                      | 240.1385   | re | (A-8566) |
| 111.360 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.640 | n  | (P-8448)                      | 240.1390   | re | (A-8566) |
| 111.365 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.640 | n  | (P-8448)                      | 240.1395   | re | (A-8566) |
| 111.370 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.650 | n  | (P-8448)                      | 240.1400   | re | (A-8566) |
| 111.375 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.655 | r  | (P-8448)                      | 240.1500   | re | (A-8566) |
| 111.380 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.655 | am | (P-16205/90; A-2706) (P-8448) | 1700.11    | am | (P-1235) |
| 111.385 | n  | (P-14671/90; A-1511) | am | (E-18100/90; O-21140/90; R-1171) | 240.660 | r  | (P-8448)                      | 1701.Ap. A | am | (P-1242) |



TITLE 62 (CONT'D)

1150.100

am

(P-2492)

1450.10

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.1

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.5

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.10

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.11

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.12

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.13

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.14

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.15

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.16

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.17

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1702.18

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1761.11

am

(P-1212)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1761.12

am

(P-1212)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1772.11

am

(P-1347)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1772.14

am

(P-1347)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1773.5

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1773.11

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1773.15

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1773.17

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1773.19

am

(P-3393)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1774.13

am

(P-1363)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1778.14

am

(P-1342)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1780.16

am

(P-1374)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1780.37

am

(P-1374)

1450.12

am

(P-19515/90; A-10416)

280.35

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(P-18359/90; A-8696)

1780.39

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(P-1374)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1784.21

am

(P-1382)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1784.24

am

(P-1382)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1784.30

am

(P-1382)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1784.39

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

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(P-18359/90; A-8696)

1816.49

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.68

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.84

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.116

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.117

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.150

am

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1816.151

n

(P-1266)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.117

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.150

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

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(P-18359/90; A-8696)

1817.151

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

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(P-18359/90; A-8696)

1817.151

n

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.68

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.84

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.116

am

(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.117

am

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1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.150

am

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1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.151

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(P-1314)

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(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1817.151

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(P-1314)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1823.14

am

(P-1368)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

1823.15

am

(P-1368)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

2501.7

am

(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

2501.10

am

(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

2501.13

am

(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

2501.16

am

(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

2501.19

am

(P-141; A-6513)

1450.12

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(P-19515/90; A-10416)

280.35

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(P-18359/90; A-8696)

2501.25

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(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.35

am

(P-18359/90; A-8696)

TITLE 68 (CONT'D)

1150.100

am

(P-2492)

1450.10

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.1

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.5

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.10

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.11

n

(P-1221)

1450.11

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.12

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.13

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.14

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.15

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.16

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.17

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1702.18

n

(P-1221)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1761.11

am

(P-1212)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1761.12

am

(P-1212)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1772.11

am

(P-1347)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1772.14

am

(P-1347)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1773.5

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1773.11

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1773.15

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1773.17

am

(P-1352)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1773.19

am

(P-3393)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1774.13

am

(P-1363)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1778.14

am

(P-1342)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1780.16

am

(P-1374)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1780.37

am

(P-1374)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

1780.39

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(P-1374)

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

1784.21

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(P-1382)

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

1784.24

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(P-1382)

1450.12

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

1784.30

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(P-1382)

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(P-19515/90; A-10416)

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(P-18359/90; A-8696)

1784.39

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(P-1266)

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

1816.49

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(P-1266)

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

1816.68

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(P-1266)

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(P-19515/90; A-10416)

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(P-18359/90; A-8696)

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1817.117

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1823.14

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(P-1368)

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(P-19515/90; A-10416)

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(P-18359/90; A-8696)

1823.15

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(P-1368)

1450.12

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

2501.7

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(P-141; A-6513)

1450.12

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(P-19515/90; A-10416)

280.20

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(P-18359/90; A-8696)

2501.10

am

(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

280.20

am

(P-18359/90; A-8696)

2501.13

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(P-141; A-6513)

1450.12

am

(P-19515/90; A-10416)

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(P-18359/90; A-



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|--------------------|----|------------------------------|-------------------------|----|----------------------|
| ILLINOIS REGISTER  |    |                              | SECTIONS AFFECTED INDEX |    |                      |
| TITLE 77 (CONT'D)  |    |                              | TITLE 77 (CONT'D)       |    |                      |
| 250.2450           | am | (P-4946)                     | 790.1418                | am | (P-3417; E-3537)     |
| 300.120            | am | (P-4367)                     | 790.1420                | am | (P-3417; E-3537)     |
| 300.330            | am | (P-9957/90; A-554) (P-4367)  | 790.1423                | am | (P-18457/90; A-6566) |
| 300.620            | am | (P-4367)                     | 790.1425                | am | (P-3417; E-3537)     |
| 300.1010           | am | (P-9957/90; A-554)           | 790.1685                | am | (P-18457/90; A-6566) |
| 300.3220           | am | (P-9957/90; A-554)           | 790.1710                | am | (P-3417; E-3537)     |
| 300.3240           | am | (P-9957/90; A-554)           | 790.1740                | am | (P-3417; E-3537)     |
| 300.3260           | am | (P-9957/90; A-554)           | 790.1950                | am | (P-18457/90; A-6566) |
| 330.120            | am | (P-4338)                     | 790.1960                | am | (P-18457/90; A-6566) |
| 330.330            | am | (P-9920/90; A-516) (P-4338)  | 790.2020                | am | (P-3417; E-3537)     |
| 330.913            | r  | (P-9920/90; A-516)           | 790.2130                | am | (P-3417; E-3537)     |
| 330.1110           | am | (P-9920/90; A-516)           | 790.2155                | am | (P-18457/90; A-6566) |
| 330.4220           | am | (P-9920/90; A-516)           | 790.2465                | am | (P-3417; E-3537)     |
| 330.4240           | am | (P-9920/90; A-516)           | 790.2485                | am | (P-3417; E-3537)     |
| 330.4260           | am | (P-9920/90; A-516)           | 790.2580                | am | (P-3417; E-3537)     |
| 350.120            | am | (P-4280)                     | 790.2617                | am | (P-18457/90; A-6566) |
| 350.330            | am | (P-9833/90; A-466) (P-4280)  | 790.2618                | am | (P-18457/90; A-6566) |
| 350.680            | am | (P-9833/90; A-466)           | 790.2645                | am | (P-3417; E-3537)     |
| 350.1220           | am | (P-9833/90; A-466)           | 790.2655                | n  | (P-18457/90; A-6566) |
| 350.3220           | am | (P-9833/90; A-466)           | 790.3027                | am | (P-18457/90; A-6566) |
| 350.3240           | am | (P-9833/90; A-466)           | 790.3060                | am | (P-3417; E-3537)     |
| 350.3260           | am | (P-9833/90; A-466)           | 790.3140                | am | (P-3417; E-3537)     |
| 350.3710           | am | (P-9833/90; A-466)           | 790.3220                | am | (P-18457/90; A-6566) |
| 350.3720           | am | (P-9833/90; A-466)           | 790.3308                | am | (P-3417; E-3537)     |
| 350.3730           | am | (P-9833/90; A-466)           | 790.3315                | am | (P-3417; E-3537)     |
| 350.3750           | am | (P-9833/90; A-466)           | 790.3335                | am | (P-18457/90; A-6566) |
| 350.3770           | am | (P-9833/90; A-466)           | 790.3350                | am | (P-18457/90; A-6566) |
| 350.3780           | am | (P-9833/90; A-466)           | 790.3488                | n  | (P-3417; E-3537)     |
| 350.3810           | am | (P-9833/90; A-466)           | 790.3540                | am | (P-3417; E-3537)     |
| 350.3880           | am | (P-9833/90; A-466)           | 790.3914                | am | (P-18457/90; A-6566) |
| 350.3900           | am | (P-9833/90; A-466)           | 790.3940                | am | (P-3417; E-3537)     |
| 350.3940           | am | (P-9833/90; A-466)           | 790.4060                | am | (P-3417; E-3537)     |
| 350.4010           | am | (P-9833/90; A-466)           | 790.4384                | am | (P-18457/90; A-6566) |
| 350.410            | am | (P-9833/90; A-466)           | 790.4420                | am | (P-3417; E-3537)     |
| 350.7b, D          | am | (P-9833/90; A-466)           | 790.4495                | n  | (P-3417; E-3537)     |
| 350.7b, E          | am | (P-9833/90; A-466)           | 790.4580                | am | (P-3417; E-3537)     |
| 390.120            | am | (P-4309)                     | 790.4660                | am | (P-3417; E-3537)     |
| 390.330            | am | (P-9883/90; A-1878) (P-4309) | 790.4720                | am | (P-18457/90; A-6566) |
| 390.1030           | am | (P-9883/90; A-1878)          | 790.4725                | am | (P-18457/90; A-6566) |
| 390.3220           | am | (P-9883/90; A-1878)          | 790.4728                | am | (P-18457/90; A-6566) |
| 390.3240           | am | (P-9883/90; A-1878)          | 790.4740                | am | (P-3417; E-3537)     |
| 390.3260           | am | (P-9883/90; A-1878)          | 790.5030                | n  | (P-18457/90; A-6566) |
| 450.5              | am | (P-6440)                     | 790.5030                | am | (P-3417; E-3537)     |
| 450.20             | am | (P-6440)                     | 790.5220                | am | (P-3417; E-3537)     |
| 450.30             | am | (P-6440)                     | 790.5300                | am | (P-18457/90; A-6566) |
| 450.35             | am | (P-6440)                     | 790.5312                | am | (P-3417; E-3537)     |
| 450.60             | am | (P-6440)                     | 790.5320                | am | (P-18457/90; A-6566) |
| 450.4p, C          | am | (P-6440)                     | 790.5420                | am | (P-3417; E-3537)     |
| 500.20             | am | (P-3422) (E-3593)            | 790.5483                | am | (P-3417; E-3537)     |
| 500.70             | n  | (P-418; A-7718)              | 790.5660                | am | (P-3417; E-3537)     |
| 510.10             | am | (P-418; A-7718)              | 790.5820                | am | (P-3417; E-3537)     |
| 510.60             | am | (P-418; A-7718)              | 790.5830                | am | (P-3417; E-3537)     |
| 510.110            | am | (P-418; A-7718) (E-612)      | 790.5900                | am | (P-3417; E-3537)     |
| 510.120            | am | (P-418; A-7718)              | 790.5924                | am | (P-3417; E-3537)     |
| 510.130            | am | (P-418; A-7718) (E-612)      | 790.6300                | am | (P-18457/90; A-6566) |
| 535.10             | am | (P-8120)                     | 790.6430                | am | (P-18457/90; A-6566) |
| 535.10             | am | (P-8120)                     | 790.6505                | n  | (P-3417; E-3537)     |
| 535.60             | am | (P-1623/90; A-5722)          | 790.6875                | am | (P-3417; E-3537)     |
| 535.150            | am | (P-1623/90; A-5722)          |                         |    |                      |
| 535.200            | am | (P-1623/90; A-5722)          |                         |    |                      |
| 535.210            | am | (P-8120)                     |                         |    |                      |
| 535.215            | n  | (P-1623/90; A-5722)          |                         |    |                      |
| 535.217            | n  | (P-8120)                     |                         |    |                      |
| 535.1000           | n  | (P-8120)                     |                         |    |                      |











| TITLE 86 (CONT'D) |    | TITLE 89 (CONT'D)    |          |    |                               |
|-------------------|----|----------------------|----------|----|-------------------------------|
| 280.115           | am | (P-17908/90; A-6290) | 500.103  | n  | (P-17897/90; A-6305)          |
| 280.120           | am | (P-17908/90; A-6290) | 500.105  | am | (P-17897/90; A-6305)          |
| 280.125           | am | (P-17908/90; A-6290) | 500.110  | am | (P-17897/90; A-6305)          |
| 280.130           | am | (P-17908/90; A-6290) | 500.155  | r  | (P-17897/90; A-6305)          |
| 290.101           | r  | (P-19751/90; A-5820) | 500.175  | am | (P-17897/90; A-6305)          |
| 290.105           | r  | (P-19751/90; A-5820) | 500.195  | am | (P-17897/90; RC-5122; A-6305) |
| 290.110           | r  | (P-19751/90; A-5820) | 500.201  | n  | (P-17897/90; A-6305)          |
| 290.115           | r  | (P-19751/90; A-5820) | 500.220  | am | (P-5017) (P-17897/90; A-6305) |
| 290.120           | am | (P-19756/90; A-6316) | 600.101  | r  | (P-18195/90; A-6284)          |
| 320.105           | am | (P-19756/90; A-6316) | 600.105  | am | (P-18195/90; A-6284)          |
| 320.110           | am | (P-19756/90; A-6316) | 600.110  | am | (P-18195/90; A-6284)          |
| 320.115           | am | (P-19756/90; A-6316) | 600.115  | r  | (P-18195/90; A-6284)          |
| 320.120           | am | (P-19756/90; A-6316) | 600.120  | r  | (P-18195/90; A-6284)          |
| 330.101           | am | (P-19767/90; A-5822) | 600.125  | r  | (P-18195/90; A-6284)          |
| 330.105           | am | (P-19767/90; A-5822) | 600.130  | am | (P-18195/90; A-6284)          |
| 330.110           | am | (P-19767/90; A-5822) | 600.135  | am | (P-18195/90; A-6284)          |
| 330.115           | am | (P-19767/90; A-5822) | 610.101  | r  | (P-18208/90; A-6286)          |
| 330.120           | am | (P-19767/90; A-5822) | 610.105  | r  | (P-18208/90; A-6286)          |
| 340.101           | am | (P-19774/90; A-5829) | 610.110  | r  | (P-18208/90; A-6286)          |
| 340.105           | am | (P-19774/90; A-5829) | 610.115  | r  | (P-18208/90; A-6286)          |
| 340.110           | am | (P-19774/90; A-5829) | 610.120  | r  | (P-18208/90; A-6286)          |
| 370.101           | am | (P-19730/90; A-5805) | 610.125  | r  | (P-18208/90; A-6286)          |
| 370.105           | am | (P-19730/90; A-5805) | 610.130  | am | (P-18208/90; A-6286)          |
| 370.110           | am | (P-19730/90; A-5805) | 610.135  | am | (P-18208/90; A-6286)          |
| 370.115           | am | (P-19730/90; A-5805) | 620.101  | r  | (P-18217/90; A-6288)          |
| 370.120           | am | (P-19730/90; A-5805) | 620.105  | r  | (P-18217/90; A-6288)          |
| 380.101           | am | (P-19746/90; A-5815) | 620.110  | r  | (P-18217/90; A-6288)          |
| 380.105           | am | (P-19746/90; A-5815) | 620.115  | r  | (P-18217/90; A-6288)          |
| 380.110           | am | (P-19746/90; A-5815) | 620.120  | r  | (P-18217/90; A-6288)          |
| 380.115           | am | (P-19746/90; A-5815) | 630.101  | am | (P-17879/90; A-5762)          |
| 380.120           | am | (P-19746/90; A-5815) | 630.105  | am | (P-17879/90; A-5762)          |
| 390.101           | am | (P-19746/90; A-5815) | 630.110  | am | (P-17879/90; A-5762)          |
| 390.110           | am | (P-19746/90; A-5815) | 630.115  | am | (P-17879/90; A-5762)          |
| 420.90            | am | (P-15762/90; A-3498) | 640.101  | am | (P-17887/90; A-5770)          |
| 420.95            | am | (P-15762/90; A-3498) | 640.110  | am | (P-17887/90; A-5770)          |
| 430.100           | am | (P-1724; A-10944)    | 650.101  | am | (P-17894/90; A-5778)          |
| 430.110           | am | (P-1724; A-10944)    | 3000.100 | n  | (P-433)                       |
| 430.120           | am | (P-1724; A-10944)    | 3000.110 | n  | (P-433)                       |
| 430.130           | am | (P-1724; A-10944)    | 3000.120 | n  | (P-433)                       |
| 430.160           | am | (P-1724; A-10944)    | 3000.130 | n  | (P-433)                       |
| 430.180           | am | (P-1724; A-10944)    | 3000.140 | n  | (P-433)                       |
| 430.190           | am | (P-1724; A-10944)    | 3000.150 | n  | (P-433)                       |
| 430.200           | am | (P-1724; A-10944)    | 3000.160 | n  | (P-433)                       |
| 432.100           | am | (P-1777; A-10993)    | 3000.170 | n  | (P-433)                       |
| 432.110           | am | (P-1777; A-10993)    | 3000.200 | n  | (P-433)                       |
| 432.120           | am | (P-1777; A-10993)    | 3000.210 | n  | (P-433)                       |
| 432.160           | am | (P-1748; A-10966)    | 3000.220 | n  | (P-433)                       |
| 435.100           | am | (P-1748; A-10966)    | 3000.230 | n  | (P-433)                       |
| 435.110           | am | (P-1748; A-10966)    | 3000.240 | n  | (P-433)                       |
| 435.120           | am | (P-1748; A-10966)    | 3000.250 | n  | (P-433)                       |
| 435.130           | am | (P-1748; A-10966)    | 3000.260 | n  | (P-433)                       |
| 435.140           | am | (P-1748; A-10966)    | 3000.400 | n  | (P-433)                       |
| 435.160           | am | (P-1748; A-10966)    | 3000.410 | n  | (P-433)                       |
| 435.170           | am | (P-1748; A-10966)    | 3000.420 | n  | (P-433)                       |
| 435.180           | am | (P-1748; A-10966)    | 3000.500 | n  | (P-433)                       |
| 435.190           | am | (P-1748; A-10966)    |          |    |                               |
| 435.200           | am | (P-1748; A-10966)    |          |    |                               |
| 435.210           | am | (P-1748; A-10966)    |          |    |                               |
| 435.220           | am | (P-1748; A-10966)    |          |    |                               |
| 440.90            | am | (P-13429/90; A-117)  |          |    |                               |
| 450.10            | am | (P-1748; A-10966)    |          |    |                               |
| 450.120           | am | (P-1748; A-10966)    |          |    |                               |
| 500.102           | n  | (P-17897/90; A-6305) |          |    |                               |
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